

The defunding of the group - which would cost Planned Parenthood \$1.1 million annually in state money - was approved by lawmakers through a bill (HB 294) signed into law by Gov. John Kasich earlier this year. The cutoff was set to go into effect on May 23.

However, Judge Barrett last week initially issued a temporary restraining order through June 6, ruling the organization was likely to succeed in its lawsuit on both First Amendment and Fourteenth Amendment grounds. (See Gongwer Ohio Report, May 23, 2016)

In a separate case, the organization has reached a settlement with the Department of Health that will require the state to pay \$45,447 in attorney fees. Federal Judge Edmund A. Sargus Jr. will maintain jurisdiction over the case to ensure the settlement agreement is enforced.

The settlement stems from an investigation by Attorney General Mike DeWine that allegedly found that Planned Parenthood affiliates violated Ohio Administrative Code by handing over fetal remains to companies that dispose of them in landfills - a claim the group denied. (See Gongwer Ohio Report, December 11, 2015)

The court, however, issued a 28-day temporary restraining order against any legal action stemming from the AG's investigation into the group's abortion policies. (See Gongwer Ohio Report, December 15, 2015)

Soon after, Mr. DeWine announced that he would not enforce the "humane disposal" section of the Administrative Code while the Department of Health and General Assembly sought to further clarify the law. (See Gongwer Ohio Report, December 18, 2015)

Mr. DeWine's investigation led to a flurry of legislative activity, including a measure (HB 417) that would require the woman seeking an abortion to choose either burial or cremation. Another bill (HB 419) would require the director of the Department of Health to adopt rules requiring abortion facilities to dispose of fetal remains by burial or cremation. Similar legislation (SB 254) was introduced in and recently cleared the Senate.

### **Senate, Committees Set To Return Late September**

The Senate and its committees are set to return to Columbus in late September, according to a schedule released by the chamber on Wednesday.

Senate President Keith Faber (R-Celina) has set session and committee dates on September 27, 28 and 29, followed by meetings on October 4, 5 and 6.

The chamber could then return to action after the November election, with if-needed dates set for November 9 and 10.

Dates are also scheduled for November 15, 16, 22 (if needed), 29 and 30.

The chamber is set for session and committee dates on December 1, 6, 7 and 8, with if-needed sessions on the 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> and 28<sup>th</sup>.

The House last week released its schedule for the remainder of the year, with the calendar showing as many as eight session dates. None of the dates on the House schedule are before the election. (See Gongwer Ohio Report, May 27, 2016)

### **State Plans Quicker Notification For Harmful Algal Blooms**

State agencies have retooled their approach to public outreach efforts when it comes to harmful algal blooms in the state's recreational waterways.

The Ohio Environmental Protection Agency and the departments of Health and Natural Resources, in a joint announcement, recently outlined a new strategy to increase awareness among citizens before they enter the water.

As part of the plan, the state will be quicker in issuing public health advisories by basing those alerts solely on the levels of harmful algal bloom toxins, such as microcystin, ODH Medical Director Mary DiOrio said.

Advisories were previously declared only following documented health issues thought to be caused by algal toxins.

"As we continue to better understand harmful algal blooms and the toxins they may produce, we have eliminated the previous requirement for a probable case of an algal bloom-related human illness or a pet death before issuing an elevated recreational public health advisory," Dr. DiOrio said.

In addition to faster public warnings, the state will rely on a website to provide a roundup of ongoing advisories and other pertinent data.

"We are encouraging people to 'know before you go' by checking our BeachGuard website," Dr. DiOrio said. "BeachGuard lists any recreational public health advisories and water quality data for some toxins and E. coli bacteria for Ohio state park lake beaches and boat ramps as well as participating non-state public and private beaches."

Another key component of the new awareness effort is a revamped signage system. A white sign will be posted at all state park beaches and boat ramps, describing the appearance of algal blooms and instructing visitors to be on the lookout.

If an algal bloom is confirmed or when toxin levels are equal to or exceed the designated threshold - six parts per billion for microcystin - orange "warning" signs will be added to the white signs. These signs will state swimming and wading are not recommended for children, pregnant or nursing women, those with certain medical conditions, and pets.

A red "danger" sign will be added if and when algal toxin levels are equal to or exceed a designated threshold - 20 parts per billion for microcystin. That sign will confirm unsafe toxin levels have been detected and instruct visitors to avoid contact with the water.

The agencies are encouraging non-state public and private waters to also adopt the new strategy.

The announcement follows OEPA's recent unveiling of draft phosphorus reduction targets in Lake Erie, which could help reduce such blooms. The plan is part of a multi-state, binational agreement to lower phosphorus levels by 40% by 2025. (See Gongwer Ohio Report, May 26, 2016)

But Ohio Environmental Council Clean Water Director Adam Rissien has since said the plan doesn't go far enough in curbing runoff pollution from agriculture companies which can feed algae growth.

"Certainly the plan demonstrates a strong commitment to reduce toxic algae, but in order to ensure its success, further action is necessary," Mr. Rissien said. "Real progress requires policies for widespread adoption of conservation practices and proper applications of fertilizer and manure."

OEPA Director Craig Butler and the Army Corps of Engineers, meanwhile, have sparred in recent months over the potential existence of a "toxic blob" in Lake Erie. Although the OEPA says water sampling "clearly shows" the blob's existence, the Corps insists "no credible scientific evidence supports" that idea. (See Gongwer Ohio Report, May 6, 2016)

### **ODP Questions Trump's Support For Veterans Following Billionaire's Contentious Press Conference**

The Ohio Democratic Party's chairman labeled Donald Trump a "fraud" who is "using veterans as a prop" a day after the billionaire sought to satiate questions of whether he had fulfilled promised donations to veterans groups.

Chairman David Pepper and retired Army Capt. Paul Worley, chair of the ODP veterans' caucus, added their voices to those criticizing the GOP presumptive nominee following Mr. Trump's press conference Tuesday in Trump Tower.

During that press conference, Mr. Trump outlined how he had donated the \$5.6 million raised by a January fundraiser he organized to compete with a Fox News presidential debate.

After the fundraiser, Mr. Trump repeatedly told media and supporters he had raised more than \$6 million from the event. But media reports - including a May 24 report from the *Washington Post* - continued to show that about half that money had not been donated.

Mr. Trump responded this week, outlining how much money had been sent to which groups. Several of those checks - including a \$1 million donation from Mr. Trump that he claimed to have made previously - were written last week, the same day the billionaire was interviewed by the *Post* on the fundraising discrepancy, according to the Associated Press.

"I think over the course of (yesterday) and today we've learned the truth: that Donald Trump is a fraud whose only concern is what's in it for him," Mr. Pepper said in a media call hosted by the Democratic National Committee.

"In this case it's clear that veterans were nothing more than a prop for Donald Trump when he needed them...and he only actually paid up what he said he'd already paid when called on it later," Mr. Pepper continued. "All this shows Donald Trump is not fit to be president."

Mr. Trump attributed the delay in issuing the checks to the process of vetting the various charities. He did not explain the discrepancy between the \$5.6 million figure and his previous claims to have raised more than \$6 million. He said veterans were greatly pleased by his contribution and support.

"I have raised a tremendous amount of money for the vets," Mr. Trump said. "I have been thanked by so many veterans groups throughout the United States."

He made additional headlines Tuesday for the combative nature of his press conference, during which he blasted the media - calling one reporter "a sleaze" - and said he would continue that contentious relationship with the media if elected president.

Mr. Worley, an Adams County commissioner who served three tours in Iraq and Afghanistan, questioned Mr. Trump's leadership following the candidate's early criticism of Sen. John McCain for being captured as a prisoner of war and for his conflicting statements on the permissibility of torture.

"Trump is a classic example of someone who will promise things - say he's doing things for veterans - but will turn around and not follow through on his promises," Mr. Worley said. "He is not a leader that cares about people. He only cares about himself."

During Mr. Trump's press conference, 22-year retired Marine and New Hampshire State Rep. Al Baldasaro shot back against claims Mr. Trump doesn't support veterans.

"I would never in a million years put my name on a candidate who did not from his heart look me in the eye and tell me he is concerned about veterans," Mr. Baldasaro said, urging the media to "get your heads out of your butts and focus on the real issues."

**Politics Notebook: ACLU Concerned With RNC Media Restrictions; Brown Talks Pensions; Portman Airs First TV Ads...**

On Wednesday, the ACLU of Ohio voiced concerns that potential flight restrictions and new credentialing procedures will hinder media access to the Republican National Convention.

In a letter to media outlets, ACLU Legal Director Freda Levenson said, "Increased control by the government over media access at the RNC presents serious First Amendment concerns."

Journalists planning to cover the July event in Cleveland must currently be screened and credentialed by the Secret Service. And expanded use of flight restrictions could be implemented by the Federal Aviation Administration to create no-fly zones around the event.

"The new credentialing process may reduce the ability of reporters to get access to events as they unfold," Ms. Levenson wrote. "Restrictions put in place by the FAA could completely block the ability of news agencies to obtain aerial footage of the convention, protests, and the actions of law enforcement."

A day prior, Cleveland leaders announced new security plans for the event, which is expected to draw 50,000 people. Officials didn't provide specifics - saying that doing so could compromise security - but outlined the training and organizational efforts being undertaken in advance of the event.

The same day, the RNC Host Committee announced a joint beautification effort to establish "a brighter, more welcoming experience along the main pedestrian and vehicular thoroughfares in downtown Cleveland."

**Pensions:** U.S. Sen. Sherrod Brown (D-Avon), while in Columbus with federal transportation officials to present a \$37 million grant to the Central Ohio Transit Authority (*see separate story*), criticized Senate Majority Leader Mitch McConnell (R-Kentucky) for blocking a bill Sen. Brown sponsored to shore up pension plans for miners.

Sen. Brown has been pushing for the Senate to consider the Miners Protection Act he sponsored alongside Sen. Joe Manchin (D-W.Va.) before breaking for the summer. The bill is an effort to address the shortfall in the United Mine Workers of America's 1974 pension plan, which was 94% funded before 2008 and is now severely underfunded due to the financial crisis and fewer active workers, according to Sen. Brown's office.

"One senator, the Republican leader in the Senate, has blocked the Senate from doing its job to protect these miners," Sen. Brown said.

Sen. Brown stressed the "urgent need" to address the pension shortfall in a letter to Sen. McConnell last week.

The senator also said he hoped lawmakers could work together to fix similar pension concerns faced by Teamsters.

**Cincinnati Zoo:** Rep. Denise Driehaus (D-Cincinnati) urged citizens to wait for investigations to conclude before jumping to conclusions about the recent killing of a gorilla after a 3-year-old boy entered the animal's exhibit.

A 17-year-old silverback, named Harambe, was shot and killed May 28 after the boy crawled into the exhibit and fell 15 feet into a moat separating the animals from visitors. Protestors said the gorilla appeared to be protecting the boy, although video, which does not show the entire ordeal, shows the 450-pound animals dragging the boy by the leg through the moat several times.

Protestors argue workers should have tranquilized the animal. But zoo officials contend doing so could have enraged the gorilla and that tranquilizers would take up to 10 minutes to go into effect.

In the wake of the incident, Sen. Cecil Thomas (D-Cincinnati) told the *Cincinnati Enquirer* he's looking into whether a law should be drafted to levy fines or criminal charges on one who causes the death, by their negligence, of an endangered animal.

In a statement Wednesday, Rep. Driehaus said she'd spoken "at length" with Cincinnati Zoo Director Thane Maynard and urged caution from those judging actions of zoo officials and the family involved.

"I trust the zoo officials and am confident they exercised their best professional judgment given the harrowing circumstances," Rep. Driehaus said. "Though losing Harambe is truly tragic, our community can take comfort in the fact that the zoo prevented the serious injury or death of a three-year-old child. I am thankful the zoo protected this young boy's life."

Later in the day, the *Enquirer* reported that an investigation had concluded and no charges would be filed.

**U.S. Senate Race:** U.S. Sen. Rob Portman's (R-Terrace Park) reelection campaign launched his first television ads this week.

The three ads are intended to showcase Sen. Portman's efforts to combat the prescription drug and heroin epidemic. They're part of a \$15 million ad buy stretching until November that was announced last month. (See Gongwer Ohio Report, May 12, 2016)

"Working together with Democrats and Republicans, I passed legislation to help break the grip of addiction," Sen. Portman said in one of the ads. "By investing in prevention, treatment, and recovery, empowering law enforcement, and stopping the over prescribing of painkillers, we can turn the tide."

NARAL Pro-Choice America, meanwhile, announced its own ad campaign targeting Sen. Portman. The campaign is aimed at pressuring Sen. Portman and other Republicans to fulfill the ongoing Supreme Court vacancy.

"NARAL is stepping up to ensure Sen. Portman does the job the people of Ohio elected him to do," NARAL Senior Vice President Sasha Bruce said.

Sen. Portman, who like many of his colleagues believes the next president should fill the post, previously said his stance is "the right thing for the country." (See Gongwer Ohio Report, May 9, 2016)

Former Democratic Gov. Ted Strickland, who's running in an effort to unseat Sen. Portman, landed the endorsement of the American Federation of Teachers, the group announced Wednesday.

"The future of our state depends on whether we are committed to our children," Ohio Federation of Teachers President Melissa Cropper said. "Ohio students and parents need the kind of arduous support Governor Strickland provides in making education his highest priority."

#### **Capitol Scene: Kasich Names Kalmbach Press Secretary; Buckeye Institute Adds Research, Communications Staff**

Gov. John Kasich on Wednesday named Emmalee Kalmbach as his press secretary.

Currently the communications director for Lt. Gov. Mary Taylor, the Bob Jones University graduate recently served as a member of the communications team for the governor's presidential campaign.

The native of Littleton, N.H. is also the former communications director for the Massachusetts Republican Party.

Ms. Kalmbach replaces Joe Andrews, who has been serving as the governor's interim press secretary since Rob Nichols departed last summer to work on the campaign. Mr. Andrews will return to his position as communications director for the Department of Public Safety.

In another development impacting the governor's staff, Jon Keeling, a former political blogger and deputy communications director for Mr. Kasich, has been named spokesman for the Department of Job and Family Services.

**Buckeye Institute:** The Columbus-based free market think tank on Wednesday announced two new staff members with the aim of focusing on budget and labor issues.

Orphe Divounguy was named economist in the Institute's Economic Research Center, and Jeff Reed will serve as the group's communications director.

Mr. Divounguy's research will focus on current economic issues, including public assistance programs and labor policies, and will entail "dynamic" scoring and analysis of

budgets in Ohio and other states, according to the group. Mr. Reed will lead the organization's state and national press relations and marketing.

"We are excited about the ideas and experience Jeff and Orphe bring to The Buckeye Institute and to Ohio," President and CEO Robert Alt said in a statement.

"The expansion of our Economic Research Center will make Buckeye the go-to resource for economic analysis of legislation. And Mr. Reed's extensive background in marketing will assure that our ideas are seen around the state and across the country."

Mr. Divounguy holds degrees from England's University of Southampton, and after receiving his Ph.D., he served as a teaching and research fellow and international economic consultant.

Mr. Reed previously served as the global communications leader for Corporate Responsibility at Indiana-based Cummins Inc. The Ohio University graduate previously held posts with the Friedman Foundation for Educational Choice and the American Legislative Exchange Council in Washington, D.C.

### **Governor's Appointments**

**Community Schools Dropout Recovery Study Committee:** Alex Johnson of Solon for a term beginning May 31, 2016 and continuing at the pleasure of the governor.

**Cleveland State University Board of Trustees:** Todd C. Davidson of Cleveland for a term beginning May 31, 2016 and ending May 1, 2025.

**Hamilton County Court of Common Pleas:** Thomas D. Heekin Jr. of Cincinnati will assume office on June 6, 2016 and must run in the November 2016 general election to retain the seat for the full term commencing January 4, 2017. Mr. Heekin holds degrees from the University of Colorado and University of Cincinnati. He has been a criminal litigator for Heekin & Heekin since 2002.

**State Employment Relations Board:** J. Richard Lumpe of Columbus for a term beginning June 1, 2016 and ending October 6, 2021.

### **Supplemental Agency Calendar**

**Thursday, June 2**

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

**Monday, June 6**

STEM Designation Committee, 25 S. Front St., Columbus, 1 p.m.

**Wednesday, June 8**

Consumers' Counsel Governing Board, Suite 1800, 10 W. Broad St., Columbus, 9 a.m.

**Thursday, June 16**

Expositions Commission, Voinovich Center, 717 E. 17th Ave., Columbus, 11 a.m.

**Supplemental Event Planner**

**Thursday, June 30**

20th Annual Rockin' Fiscal Eve, Miller's Ale House, 1201 Olentangy River Rd., Columbus, 5 p.m.,  
(All-invited celebration  
of the end of MBRs in FY 2016 with MBRs (Massive Beer Rounds). Parking adjacent to building.)

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley,  
Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers


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## Senate Activity for Wednesday, June 1, 2016

### INTRODUCED

**SB 337**  **ROAD NAMING (Hughes, J.)** To designate a portion of Interstate Route 270 in Franklin County as the "Hilliard Patrol Officer Sean Johnson Memorial Highway." Am. 5534.44

17 S. High St., Suite 630  
Columbus Ohio 43215  
Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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## **Daily Activity Planner for Thursday, June 2**

### **Legislative Committees**

No legislative committees scheduled.

### **Agency Calendar**

Construction Industry Licensing Board, 6606 Tussing Road, OCILB Conference Room, Reynoldsburg, 10 a.m. (HVAC Section)

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

State Employment Relations Board, 65 E. State St., 12th Fl., Columbus, 10 a.m.

### **Event Planner**

Ohio Department of Taxation public hearing on proposed current agricultural use values, 22nd Floor, 30 E. Broad Street, Columbus, 10 a.m.

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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**Wednesday, June 1, 2016**

**IN TODAY'S HANNAH REPORT:**

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**Today's Stories**

- [Senate Announces Sessions for Rest of 2016; Composite Schedule Included with Today's Report](#)
- [Ohio First State to Launch STABLE Accounts under Federal Law](#)
- [Federal Judge Extends Block on Planned Parenthood Defunding Bill](#)
- [Local Leaders, OhioMHAS Join for Recovery Summit](#)
- [OTA Convention Features Next Gen 9-1-1 Discussion](#)
- [Last Week of Session Sees Legislature Finish Work on 35 Bills](#)
- [Study Panel to Consider Dropout Recovery School Issues](#)
- [State Government Roundup: Governor; AG](#)
- [Campaign Corner: Mary Taylor](#)
- [People in the News: Buckeye Institute](#)
- [Ohio Digest: COTA Funds](#)
- [Campus Chronicle: Special Education Grant](#)

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**Subject:** House & Senate Floor Reports



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## **Senate Activity for Thursday, June 30, 2016**

### **INTRODUCED**

**SB 339 ■ MONTH DESIGNATION** (Tavares, C.) To designate the month of June as "Pride Month." En. 5.2299

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## **House Activity for Thursday, June 30, 2016**

### **INTRODUCED**


**HB 583 ■ COLLECTIVE BARGAINING** (Becker, J.) To remove any requirement under the Public Employees Collective Bargaining Law that public employees join or pay dues to any employee organization, to prohibit public employers from requiring public employees to join or pay dues to any employee organization, to prohibit an employee organization from being required to represent public employees who are not members of the employee organization, and to make an appropriation. Am. 9.81, 124.14, 124.15, 3345.31, 4117.03, 4117.04, 4117.05, 4117.09, 4117.10, 4117.11, 4121.03, 4121.121, 4121.69, and 5501.20

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### **RESIGNATION ACCEPTED**

Rep. Tim Brown, Republican, 3rd District, effective July 17.

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Click the  after a bill number to track that bill and create email alerts on activity.

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## **Ohio Report for Thursday, July 7, 2016**

Stakeholders Point To New Charter Laws As Closures Increase, ODE Denies All Sponsorship Applications

Medicaid Underspensing Driven By Increased Enrollment In Expansion Program, Administration Says

November Ballot Won't Include Any Citizen-Initiated Amendments, Statutes; Some Groups Set Sights On 2017

High Court Set To Hear Two Death Penalty Cases, Along With Four Other Cases Next Week

June Revenue Down At Most Casinos, All Racinos

Cleveland, Akron To Join White House Mentorship Initiative

In Cincinnati, Trump Expands On Controversies; ODP Blasts Billionaire's Business Record

Court Briefs: Buckeye Institute Files Brief In 'Golden Week' Lawsuit; Former Mayor Legally Fired From Lottery Commission Post...

Capitol Scene: Fadel Appointed Ohio Insurance Institute President

Supplemental Agency Calendar

## **Calendars**

Day Planner

Legislative Committee Schedules

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**Volume #85, Report #130 -- Thursday, July 7, 2016**

**Stakeholders Point To New Charter Laws As Closures Increase, ODE Denies All Sponsorship Applications**

In the wake of updated charter school laws, the list of buildings closing this summer is longer than ever and the Department of Education has declined to sponsor any new schools that submitted applications.

At the end of the fiscal year, 20 charter schools did not sign new sponsor contracts and will close their doors, according to ODE. Of those, 11 were given notice in January that their sponsors were dropping them, typically because of poor academic performance, while the other half closed voluntarily. (Closure List)

More than 100 other schools have shut down in the last five years, but this year's group is the largest since June 30, 2014 when 19 schools did not sign new contracts.

A handful of the schools that were given notice that their contracts wouldn't be renewed applied to ODE's Office of School Sponsorship, which can sponsor start-up schools and take over existing schools looking for new sponsors.

None of the 10 schools that sought new sponsorship were approved, however - a first for the department, according to application records from previous years. (Sponsorship Applicants)

Charter schools sponsors and supporters point to tighter closure and sponsorship laws (HB 2) as a cause for this year's stats.

Ron Adler, president of the Ohio Coalition for Quality Education, said it's likely that schools will continue to close in higher numbers each year because of sponsors' concerns about how their schools' state report card scores will impact their evaluations.

"I think that there are probably some schools being closed that probably need to be closed. However, I think sponsors today, with some of the criteria that has come through the Ohio Department of Education that has made it almost impossible and created penalties, they don't want to sponsor some schools," he said.

"We've got some sponsors that are very good at turning around schools and (ODE) has created such a fear factor that sponsors are hesitant for their own existence to help and improve the schools."

The new sponsor evaluations, which are detailed in the latest charter school legislation and overseen by ODE, factor in quality, compliance and academic performance.

Sponsors that don't score well in those areas could face losing their ability to continue sponsoring schools.

Sponsors have said they're prepared for poor showings in the performance category because of lower state test scores across the board. Unlike traditional schools, charters were not granted safe harbor from impacts related to report card results reflecting new standardized exams.

In addition to calling out lawmakers for failing to provide them with safe harbor, sponsors have also recently complained that it will be impossible to meet deadlines for producing compliance documentation that was requested by ODE as a result of the new laws. (See Gongwer Ohio Report, June 30, 2016)

"I think that House Bill 2 is being revered by some," Mr. Adler said in an interview. "I see it as all compliance, compliance, compliance. It is 106 pages of rules, regulations and mandates that just make it more difficult to operate and improve achievement."

Chad Aldis, vice president of Ohio policy and advocacy for the Thomas B. Fordham Institute, agreed that it is likely sponsors gave consideration to the new evaluations when making closure decisions this year.

But, he said he's hopeful that any needed tweaks can be made to both the laws and as the new procedures play out over the next few years.

"There are a lot of good charter schools and we wouldn't want to see them closed as a result of this and you also wouldn't want to see sponsors so afraid of the provisions that they won't open potentially new, strong, innovative schools that could really make a difference for kids," Mr. Aldis said.

"I think what we're in right now is a little bit of a correction phase and hopefully sponsors will have confidence in their decisions and continue to open schools when the school is likely to be successful."

Five sponsors in the state have plans to open 10 start-up schools for the 2016-17 school year, according to ODE. (Potential New Schools List)

ODE's Office of School Sponsorship will be evaluated with all other sponsors, but is not impacted by the new rating system that could prohibit a sponsor from taking on new schools or put a sponsor out of business.

However, the office took a more discerning approach this year when reviewing applications for taking over existing schools or aiding start-up operations.

"A top priority for the Ohio Department of Education is a strong system of accountability for all schools in our state, including charter schools and their sponsors," agency spokeswoman Brittany Halpin said. "Provisions in the recent charter school reform

legislation strengthen the department's ability to support high quality options for the state's students."

In the past, the department was required to sponsor any school that followed the application process correctly, but new laws allow it to deny schools that aren't meeting certain standards.

Mr. Aldis called the update that allowed it to decline all of this year's applications a "smart change."

"If (ODE) is going to sponsor schools, it should absolutely be able to determine whether the schools are performing well before it just takes one on," he said in an interview.

It's possible schools will continue to close at the same pace in coming years because House Bill 2 also put in place some guardrails to limit so-called "sponsor-hopping," Mr. Aldis said.

Updated laws prohibit charter schools from seeking new sponsorship if they don't meet fiscal management or performance requirements.

"The ability for lower performing schools to change sponsors is not what it used to be, so when you see the overall number of closures, some of those in the past might have gone on to a different sponsor and that can't happen now," he said.

### **Medicaid Underspending Driven By Increased Enrollment In Expansion Program, Administration Says**

The Kasich administration credits an improving economy and a more accurate eligibility determination system with driving nearly \$1.3 billion in Medicaid underspending last fiscal year.

The Medicaid program finished the year spending about \$926 million less than expected from the General Revenue Fund, and nearly \$1.3 billion less than expected from all funds, according to the Governor's Office of Health Transformation.

The underspending continues a longtime trend in the program covering multiple administrations. (See Gongwer Ohio Report, July 6, 2016)

According to OHT, the program enrolled about 3 million Ohioans on an average monthly basis during fiscal year 2016, about 32,000 below projections. While the overall enrollment was below projections, the number of people enrolled in the expansion group, which is completely funded by federal dollars, increased by 26,000.

Meanwhile, the number of people enrolled in the traditional program, which is partially funded by the state, was 58,000 below the estimate, according to OHT.

The administration said part of this shift is due to an improving economy - as people make more money, they move out of traditional Medicaid and into the expansion group, which includes people making up to 138% of the federal poverty level.

OHT also credited a new and more accurate system to determine eligibility, which assigns new enrollees to the proper category and moves them off the program as their finances improve.

Total Medicaid spending from all funding sources was \$25.3 billion, of which nearly \$17 billion came through the General Revenue Fund.

The federal share of Medicaid spending last fiscal year was \$715 million, or 3.9%, below the original budget estimate, while the state's share was \$550 million, or 6.7%, below the original estimate, according to OHT.

In fiscal year 2015, the Department of Medicaid reported total Medicaid spending of \$1.9 billion below the original budget estimate.

That year, enrollment for the expansion group was more than 152,000 above the original estimate, while enrollment in the traditional program was 192,000 below estimate.

#### **November Ballot Won't Include Any Citizen-Initiated Amendments, Statutes; Some Groups Set Sights On 2017**

No citizen-initiated issues will appear on November's ballot, Secretary of State Jon Husted announced Thursday, a day after the deadline to file petitions for proposed constitutional amendments and initiated statutes.

A few high-profile efforts to reach the ballot were made this year, including two related to medical marijuana and one related to prescription drug prices, but none of those issues found a place on the ballot in November.

Backers of an initiated statute designed to lower the cost of prescription drugs will aim for 2017, said Michael Weinstein, president of the California-based AIDS Healthcare Foundation, which supported the measure.

Supporters of the proposal, called the Ohio Drug Price Relief Act, initially gathered enough signatures to bring it before the legislature, where no action was taken, but a review of those petitions by the secretary of state's office delayed the collection of signatures, prompting lawsuits by the initiated statute's supporters in state and federal courts. Both cases were dismissed after Mr. Husted transmitted the proposal to the General Assembly. (See Gongwer Ohio Report, April 19, 2016)

In an email, Mr. Weinstein said the proposal will have to wait for next year after the delays.

"We will go for 2017," he said. "We are collecting and will submit sufficient signatures within the 90 days allowed."

Another lawsuit, filed by industry groups challenging the petition signatures gathered for the initiated statute, is ongoing. (See Gongwer Ohio Report, June 8, 2016)

A proposal dealing with lawmaker lobbying, called Ethics First - You Decide Ohio, also made a push for the ballot. The Ballot Board divided the issue into three different issues, a decision the amendment's backers challenged in the Ohio Supreme Court. The Court dismissed that challenge in May. (See Gongwer Ohio Report, May 24, 2016)

Ronald Alban, one of the proposal's backers, said in an email that they have no intention of moving forward with the proposal.

Two citizen-initiated proposals to legalize medical marijuana, one backed by the Washington-based Marijuana Policy Project and the other by a group called Grassroots Ohio, will also not appear on the ballot after an early push in the wake of last year's failed Issue 3 vote.

The MPP-backed Ohioans for Medical Marijuana group announced it would not pursue the ballot after lawmakers passed a bill (HB 523) in May creating a medical marijuana system. (See Gongwer Ohio Report, May 31, 2016)

Backers of Grassroots Ohio have said they are pushing forward with their proposal, which would create a constitutional right to possess marijuana for a medical purpose, with an eye on the 2017 ballot.

### **High Court Set To Hear Two Death Penalty Cases, Along With Four Other Cases Next Week**

The Ohio Supreme Court will hear appeals in two death penalty cases next week.

In one case, an Akron man convicted of the 2011 murders of his children's mother and her boyfriend plans to raise 14 legal claims in appealing both his sentence and conviction.

David Spaulding, who was sentenced to death for the 2011 murder of Erica Singleton and Ernest Thomas, will argue that he received ineffective legal counsel because both of his attorneys were not present for all proceedings in the case, that a witness' statement should have been suppressed and that he was denied legal counsel during interrogation.

Ms. Singleton obtained a civil protection order against Mr. Spaulding on Dec. 1, 2011, following a string of domestic violence incidents. However, two weeks later, Mr. Spaulding showed up at the place Ms. Singleton was staying with Mr. Thomas. He first shot another tenant, Patrick Griffin, who was paralyzed by the shooting, before killing Ms. Singleton and Mr. Thomas in their driveway.

In January 2013, a jury convicted Mr. Spaulding of aggravated murder, attempted murder and violation of a protection order.

In the second case, a Medina County man will argue that seven claims of legal and procedural errors should afford him a new trial.

Steven Cepec will claim that, among other issues, he was prejudiced by statements in court about a prior burglary conviction, that the trial court should have held a hearing on the competency of a witness and that his constitutional rights were violated because police continued to question him after he asked for a lawyer.

Mr. Cepec was convicted of murder, aggravated robbery and aggravated burglary following the 2010 death of Frank Munz, who was found bludgeoned with a hammer and strangled with a lamp cord.

Police arrived on the scene while Mr. Cepec was still in the home after receiving a call from Mr. Munz's nephew, Paul Munz, whose testimony at trial was called into question in the appeal. Upon arrival by the police, Mr. Cepec fled on foot. He was later found nearby hiding under a bush, the court reported.

The high court will hear four other cases next week:

- In *re Application of Buckeye Wind*, the high court will hear arguments from Champaign County residents that a hearing should be held on amended construction plans for the state's first wind-powered generation facility. The Power Siting Board approved a construction application in 2010 and the developer proposed revision to the plans in 2013.
- In *Disciplinary Counsel v. Joltin*, disciplinary counsel will object to the professional conduct board's proposed sanctions on a Canfield attorney found to have mishandled client funds, mismanaged his client trust account and not fully cooperated with the investigation. The professional conduct board proposed a sanction of two years, with 18 months stayed under certain conditions. However, disciplinary counsel will argue for an indefinite suspension.
- In *Defiance County v. Testa*, the court will consider whether the tax commissioner lawfully denied a Defiance County commissioner's request to transfer \$2.5 million from the county landfill fund to pay for emergency repairs to the county courthouse and to make renovations to meet federal Americans with Disabilities Act requirements.
- In *Foley v. University of Dayton*, the court will decide what the statute of limitations is for filing a negligent misidentification claim and whether absolute privilege or qualified privilege shield the defendants' statements to law enforcement.

**June Revenue Down At Most Casinos, All Racinos**

Overall revenue at Ohio's four casinos was down in June, with three of them seeing decreases from May, according to the Casino Control Commission.

The four casinos took in \$62.9 million in revenue in June, down from \$66.5 million in May and the lowest total of the year so far, according to revenue reports. Last June, the casinos brought in \$63.5 million, the lowest monthly total of the year.

Video lottery terminals at the state's racinos brought in a total of \$70.7 million in June, down from \$78.2 million in May. They ended the fiscal year with nearly \$869 million in revenue, up from \$773 million in fiscal year 2015. (VLT reports)

JACK Cleveland was the only Ohio casino to see an uptick in revenue in June, bringing in \$16.3 million compared to just over \$16 million in May, according to revenue reports. The casino was closed for 40 hours in May while it rebranded from Horseshoe Cleveland to JACK Cleveland.

Of JACK Cleveland's revenue, \$8.7 million came from table games, while \$7.6 came from slot machines, according to the report. The casino's monthly revenue was up nearly \$2 million from \$14.4 million in June 2015.

JACK Cincinnati saw the biggest drop in revenue in June, bringing in \$14.1 million compared to \$16.2 million the month before. JACK Cincinnati was closed for 40 hours in June to rebrand from Horseshoe Cincinnati. Of its revenue in June, \$9.4 million came from slot machines and \$4.6 million came from table games. Last June, the casino brought in \$16.1 million.

Hollywood Columbus saw revenue drop by more than \$860,000, falling from nearly \$17.8 million in May to more than \$16.9 million in June. Slot machines accounted for \$11.8 million in revenue, while table games accounted for \$5.1 million. Last June, the casino's revenue was \$16.4 million.

Hollywood Toledo saw revenue drop nearly \$900,000 to \$15.6 million in June, with more than \$13 million coming from slot machines and \$2.6 million coming from table games. Last June, the casino took in \$16.6 million.

**Racinos:** VLT revenue at all seven of the states racinos declined from May to June, with Scioto Downs seeing the largest decrease, dropping nearly \$1.7 million from just under \$13.5 million in May to just under \$11.8 million in June.

At Hard Rock Racino Northfield Park, revenue fell more than \$1.5 million to \$17.9 million in June, while at Miami Valley Gaming it fell by nearly \$1.5 million to \$10.8 million.

Revenue at JACK Thistledown Racino fell by more than \$941,000 to \$9.1 million. At Hollywood Mahoning Valley Race Course, it fell by nearly \$806,000 to \$7.6 million. Revenue at Hollywood Gaming Dayton Raceway fell more than \$693,000 to just under \$7 million in June, and revenue at Belterra Park fell more than \$457,000 to \$6.4 million.

## **Cleveland, Akron To Join White House Mentorship Initiative**

U.S. Sen Sherrod Brown will be joined by administration officials this week in Northeast Ohio to expand an initiative that aims to provide mentoring and opportunities for boys and young men of color.

My Brother's Keeper, a program launched by President Obama in 2014, is coming to Akron and Cleveland Friday, the Avon Democrat announced in a Thursday call with reporters.

They will join Dayton, Columbus, Massillon, East Cleveland and Berea in becoming MBK communities that provide mentorship and resources. Sen. Brown said Cincinnati is also preparing to take part in the initiative.

"It's up to all of us to ensure that all our children - regardless of their zip code or the color of their skin - have the opportunity to succeed," he said. "And I hope more cities across our state will accept the My Brother's Keeper Challenge, and work toward that goal."

Nearly 250 communities have agreed to be part of the MBK Challenge, said Broderick Johnson, chair of president's MBK Task Force. Partnerships in those communities have resulted in more than \$600 million in grants and in-kind resources.

One of the latest drives of the initiative is to link sixth and ninth graders with mentors who can provide support and encouragement to go to school and work toward graduation, he said. Cleveland will be among 30 communities in the country that will provide those mentors focused on reducing chronic absences from school.

Federal agencies also recently partnered to launch the Second Chance Pell pilot program under the MBK umbrella, Mr. Johnson said. It allows 67 colleges and universities - including Ashland University - to provide Pell Grants to 12,000 inmates.

"We're working to make sure the various departments of the federal government that are part of the MBK Task Force continue to look at the programs they have and collaborate on programs to make sure that we can better target federal resources and partnerships with the private sector so that every child in this country has a clear pathway to success, really from crib through college and career," he said during the call.

MBK Mentor Quinn Howard said the program is working in Dayton to provide positive role models for young men of color.

The starting point for Dayton's mentorship program is to help youth "see themselves as contributors to the community," he said.

"Young men in our community need to see positive role models that they can emulate," Mr. Howard said. "It is important not only to provide young men with direction and guidance but to also build nurturing relationships through listening and understanding."

Mentoring young men with basic fundamental values will hopefully provide them with a sense of purpose that can help can help them succeed in life."

### **In Cincinnati, Trump Expands On Controversies; ODP Blasts Billionaire's Business Record**

Before Donald Trump took the stage in Cincinnati Wednesday evening, he was expected to use the speech to hammer Hillary Clinton over recent events pertaining to her use of a private email server.

Instead, he spent most of his time stoking further controversy over his recent comments on Saddam Hussein and doubling down in his defense of an image he tweeted that has been deemed to be anti-Semitic.

The GOP presumptive nominee did strike out at Ms. Clinton in his stream-of-consciousness remarks, deriding an FBI recommendation that she not be charged and, in a tangent, likening her to a mosquito when one landed on his lectern.

"It's a disgrace," he said. "She has got bad judgment."

But the candidate spent more than two-thirds of his more than one-hour long speech seeking to explain his own controversies in recent days, effectively fanning the media attention those remarks have received.

That includes controversy over Mr. Trump's Saturday tweet featuring a picture of Ms. Clinton against a backdrop of dollar bills with a six-pointed star containing the text "Most corrupt politician ever."

The tweet drew criticism from those contending the graphic is rooted in anti-Semitism, but Mr. Trump has since said the star is less a Star of David and more of a "sheriff's badge" and that it is the media, not his campaign, that is being prejudicial.

"(The media's) profiling," he told the Sharonville crowd. "Not us. Because why are they bringing this up?"

Mr. Trump, in his most expansive remarks on the topic yet, said he was disappointed his staff took down the tweet.

He also expanded on his prior remarks at a Tuesday rally and in interviews in which he seemingly praised Saddam Hussein for dispatching terrorists. House Speaker Paul Ryan and others have criticized the remarks.

In his comments Wednesday, Mr. Trump said it was inaccurate to characterize his comments as "praise" for the fallen dictator.

"I said Saddam Hussein is a bad man...but he did one thing well: he killed terrorists," Mr. Trump said. "I wake up and turn on the television: 'Donald Trump loves Saddam Hussein.' That's not what I said."

In a one-on-one interview with the Cincinnati Enquirer, Mr. Trump said, "That's not praising Saddam Hussein. I would say maybe it's the opposite."

The interview seemingly led a Trump spokeswoman to attempt to "dress down" the reporter for "disrespectful questioning," according to tweets of the exchange from the journalist.

"I said Trump's the GOP candidate for president and tough questions are part of the job," the reporter tweeted. "(Trump press secretary Hope Hicks) said as a candidate he deserves respect."

Former House Speaker Newt Gingrich, a potential VP pick, also appeared at the rally, though his appearance was overshadowed in media reports by Mr. Trump's speech.

He accused the Clintons of corruption and questioned the timing of the recent FBI announcement. He also took a swipe at Gov. John Kasich, who has declined to endorse the billionaire, saying that although the governor "is a good friend of mine, it's about time he got on the Trump bandwagon."

**Democrats:** State Party Chairman David Pepper and Columbus City Councilmember Jaiza Page held a press conference on the steps of Columbus City Hall Thursday, responding to Mr. Trump's remarks and seeking to cast him as a failed businessman.

Mr. Pepper contrasted Mr. Trump's Cincinnati appearance with Ms. Clinton's Ohio visit last week, saying of Mr. Trump's speech "I don't even know how to characterize what a disturbing speech it was." (See Gongwer Ohio Report, June 27, 2016)

Organized by the Clinton campaign, the event was the latest in a line of attacks from Clinton supporters on Mr. Trump's business dealings in Atlantic City, which they contend includes bankruptcies, failures to pay contractors and the loss of hundreds of jobs.

Mr. Trump has promised to bring the same level of success to running the country as he has to his business ventures.

"(In Atlantic City,) Trump came out on top but the city didn't," Mr. Pepper said. "It's not just Atlantic City. This is a pattern over the years all around the country.... We just can't let Donald Trump do to Ohio, do to Columbus, what he did to Atlantic City and what he's done to innocent Americans all over the state through his business actions and scams."

**Court Briefs: Buckeye Institute Files Brief In 'Golden Week' Lawsuit; Former Mayor Legally Fired From Lottery Commission Post...**

The Buckeye Institute has joined the battle over whether Ohioans should have a five-day window in which they can register to vote and cast ballots on the same day.

The group has filed a brief in the U.S. Sixth District Court of Appeals supporting Secretary of State Jon Husted's challenge to a lower court ruling that found the elimination of "Golden Week" to be a violation of the Voting Rights Act. (See Gongwer Ohio Report, May 24, 2016)

U.S. District Court Judge Michael Watson found that the elimination of Golden Week disproportionately impacted black voters in Ohio.

The Buckeye Institute, however, challenged that finding in its brief.

"The fact that African Americans previously used Golden Week at slightly higher rates does not suggest that they will somehow stop participating under the new law. All the minority voters who voted in Golden Week are ready and able to vote in the current four-week period, and there is no evidence suggesting they will not avail themselves of that broad opportunity," it reads.

Representing The Buckeye Institute in the case is Michael Carvin, an election and appellate law expert with the global Jones Day law firm.

"Plaintiffs argue that a federal law that has been on the books for 34 years suddenly requires Ohio to extend its already generous early voting and requires Ohio to permit same-day registration. The law does no such things," Mr. Carvin said in a statement. "Nor does it invalidate the laws of the 40 states that offer fewer voting days than Ohio."

**Firing:** The Court of Claims has found that former Seven Hills Mayor David Bentkowski was legally terminated from his post at the Lottery Commission.

Mr. Bentkowski, who was terminated in November 2012, alleged that his supervisor and the lottery's director of human resources engaged in discriminatory practices. He claimed Elizabeth Popadiuk made discriminatory remarks about Lottery Commission employees, which she denied, the high court reported.

Court of Claims Judge Patrick McGrath found that Mr. Bentkowski failed to prove that his firing was payback for claiming the employer was engaged in discriminating practices.

**Pro Bono Work:** Ohio attorneys provided pro bono work in 2015 to the tune of \$10.3 million, the Ohio Legal Assistance Foundation and the Ohio Supreme Court reported Thursday.

More than 4,300 attorneys reported pro bono activity in 2015, accounting for about 76,300 hours of free legal service.

Another \$406,000 was donated to organizations that provide legal services to low-income Ohioans.

"We were excited that the number of attorneys who voluntarily reported their pro bono work more than doubled from last year," OLAF's Pro Bono and Communications Director Jane Taylor said in a statement. "I believe these results reflect the Court's continuing emphasis on access to justice for all and its strong commitment to ensuring that every Ohioan can get legal help, regardless of income."

### **Capitol Scene: Fadel Appointed Ohio Insurance Institute President**

Longtime Ohio Insurance Institute staffer Dean Fadel will serve as the association's newest president, OII Board Chairman Tim Timmel announced Thursday.

Mr. Fadel, who has been with OII since 1988 and currently serves as its vice president of government relations, will transition to the new position over the next few weeks, according to the board.

He'll replace President Dan Kelso, who recently announced retirement plans. Mr. Kelso had led the association since 1989, when it merged with the Insurance Federation of Ohio, which he had overseen since 1977.

"We're confident that the association will continue making great strides on behalf of its members, Ohio's property/casualty (P/C) insurance companies, with a focus on maintaining the stable, affordable insurance environment that Ohio consumers have experienced for decades," Mr. Timmel said of the transition.

### **Supplemental Agency Calendar**

**Wednesday, July 13**

**Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.**

**17 S. High St., Suite 630**

**Columbus Ohio 43215**

**Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)**

**Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers**

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## **Daily Activity Planner for Friday, July 8**

### **Legislative Committees**

No legislative committees scheduled.

### **Agency Calendar**

**Board of Building Standards, Division of Industrial Compliance, 6606 Tussing Road, Training Room, Reynoldsburg, 10 a.m. (The Code Committee will meet immediately after the full board.)**

**State Emergency Response Commission, 2855 W. Dublin-Granville Rd., Columbus, 1:15 p.m.**

### **Event Planner**

**Rep. Bill Reineke (R-Tiffin) golf outing fundraiser, Mohawk Golf and Country Club, 4399 S. State Route 231, Tiffin, 8:30 a.m., (8:30am Light Breakfast and Registration; 10:00am Shotgun Start. Major Sponsor: \$2,500; Registration Sponsor: \$1,500; Scoreboard Sponsor: \$750; Foursome: \$600; Driving Range Sponsor: \$500; Beverage Cart Sponsor: \$250; Individual Golfer: \$175; Hole Sponsor: \$150 to Friends of Bill Reineke)**

**Summer Fridays at the Statehouse concert, West Steps, Statehouse, Columbus, 12 p.m., (RMT)**

**17 S. High St., Suite 630**

**Columbus Ohio 43215**

**Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)**

**Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers**

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## **Legislative Committee Schedules beginning 7/8/2016**

### **Monday, July 11**

Joint Committee on Agency Rule Review (Committee Record) (Chr. Uecker, J., 466-4086), Senate Finance Hearing Rm., 1:30 p.m.


### **Tuesday, July 12**

Senate Public Utilities (Committee Record) (Chr. Seitz, B., 466-8068), Finance Hearing Rm., 1 p.m.

- Confirmation hearings on governor's appointments of Asim Haque and Howard Petricoff, Public Utilities Commission of Ohio

### **Thursday, July 21**

Joint Medicaid Oversight Committee (Committee Record) (Chr. Burke, D., 466-1731), Senate Finance Hearing Rm, 9 a.m.

**NOTE:** Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

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**To:** Standard\_Subscriber\_updates@gongwer-oh.com  
**Subject:** NEWS UPDATE--Troopers Reach Contract Agreement With State



**GONGWER** Ohio  
The Record of Capitol Square Since 1906

Thursday, August 25, 2016, 01:15 PM

## **Troopers Reach Contract Agreement With State**

The state and Ohio State Troopers Association on Thursday announced details of a tentative three-year contract agreement supported by more than 90% of the union members who voted in recent days.

The 1,760-member union negotiated a 12.5% raise over three years in annual increments of 5%, 5% and 2.5%, OSTA President Jeremy Mendenhall said. Since the negotiations were delayed, the first year increase will be retroactive to the expiration date of the last contract, which was July 1, 2015.

The pact includes a one-time ratification payment of \$750 for members, according to the union and Department of Administrative Services.

OSTA received a higher increase than other union employees, which received 7.5% over three years "in exchange for concessions to the Health and Physical Fitness Program, management discretion in selection, and flexibility in the area of personal leave," the two sides reported in a joint news release.

The groups said language in the contract that enhances management rights and employee accountability, streamlines the disciplinary process and lengthens the retention period for discipline, is "consistent with the changes in the other collective bargaining agreements," according to the release.

Pending Controlling Board ratification, the contract will be effective on Sept. 29.

More details in today's Gongwer News Service *Ohio Report*.

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**To:** Alexander, Steven  
**Subject:** Ohio Report, Tuesday, September 6, 2016  
**Attachments:** Sep6House.htm; 160906dayplan.htm; Sep6.htm



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## **Ohio Report for Tuesday, September 6, 2016**

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

State Board Looking To Help 2,000 Displaced Ohio ITT Students

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Trump, Clinton Spend Holiday Campaigning In Ohio

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Supplemental Agency Calendar

Supplemental Event Planner

## **Activity Reports**

House

## **Calendars**

Day Planner

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## House Activity for Tuesday, September 6, 2016

### INTRODUCED

**HB 594** ■ **COMMUNITY SCHOOLS (Roegner, K.)** Regarding public moneys returned to the state as a result of a finding of recovery issued pursuant to an audit of a community school. Am. 3314.52

### HOUSE SPEAKER'S APPOINTMENTS

State Audit Committee: Ranjan Manoranjan

Ohio Public Employees Deferred Compensation Board: Rep. Boggs

Task Force for Creating Opportunities for Shared Governance on Co-Located Campuses:  
Representative Schuring; Dr. Para M. Jones and Natasha Pollock

Insurance Committee: Appoint Rep. Brinkman as chair

17 S. High St., Suite 630  
Columbus Ohio 43215  
Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

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## **Daily Activity Planner for Wednesday, September 7**

### **Legislative Committees**

No legislative committees scheduled.

### **Agency Calendar**

Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.

Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 9 a.m. (Code Committee)

Real Estate Commission, Division of Real Estate and Professional Licensing, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro, 9 a.m. (Agriculture Development Committee)

Petroleum Underground Storage Tank Release Compensation Board, 50 West Broad Street - Suite 1500, Columbus, 10 a.m.

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

### **Event Planner**

Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) golf outing fundraiser, County Club at Muirfield Village, 8715 Muirfield Drive, Dublin, 8:30 a.m., (\$1,000 Total Contribution. Golfers pay for their own golf. Please make separate checks for \$500 each payable to Citizens for Bill Beagle & Peterson for Good Government)

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

Rep. Scott Ryan (R-Newark) and Rep. Rob McColley (R-Napoleon) fundraiser, Due Amici, 65 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Sponsor: \$500; Host: \$350 to Citizens for Scott Ryan and/or Citizens for McColley)

Release of August casino revenue figures, 1:30 p.m.

Sen. Jim Hughes (R-Columbus) fundraiser, Victory's, 543 S. High St., Columbus, 5 p.m., (Sponsor: \$2,500, Host: \$1,500, Patron: \$1,000 to Committee for Jim Hughes)

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dille, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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**Volume #85, Report #172 -- Tuesday, September 6, 2016**

## **Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates**

A group of charter school sponsors who previously worked to update the process by which they are evaluated has reunited to offer new recommendations as the Ohio Department of Education heads back to the drawing board.

Sponsors have been raising concerns about a change in evaluation practices since they were introduced last year, but the time is ripe for them to step in and make their voices heard following the Joint Committee on Agency Rule Review's shelving of a rule dealing with the compliance portion of the reviews.

St. Aloysius representative Dave Cash said he recently reconvened a stakeholder group that had been defunct for the past three years, hoping that JCARR's decision could provide an opportunity for members to provide feedback and offer suggestions on the evaluations.

JCARR leaders have since said they expect the ODE to present an updated rule and the Common Sense Initiative has asked the agency to collect additional public comments.

"We anticipated JCARR would send the rule back and get stakeholder feedback that they did not get the first time. Who better to try to provide some of that stakeholder input than the ones who were involved in the evaluation to begin with?" Mr. Cash said in an interview.

"We've put a significant amount of resources into trying to put an evaluation tool together that was then not finished out and then not implemented well and it all fell apart. We felt it was our obligation to try to step up and offer recommendations to fix it."

The group, which includes representatives from the Ohio Association of Charter School Authorizers, Ohio Coalition for Quality Education, Ohio Alliance for Public Charter Schools, Reynoldsburg City Schools, and the Thomas B. Fordham Foundation, originally began meeting in 2012.

At that time, members - who were also joined by representatives of the National Association of Charter School Authorizers and ODE employees - spent a year and a half crafting a process to measure sponsor compliance and piloting it throughout the state.

Their recommendations on compliance became part of the previous sponsor evaluation that was never fully implemented and was ultimately revamped because it came to light that sponsor ratings were miscalculated by then-Office of School Choice Director David Hansen.

Sticking with some of the same premises as the last time they were active, the group is also taking into consideration new laws as it drafts updated recommendations, some of which have already been presented to CSI and ODE, Mr. Cash said.

Earlier this week, the group created a process and timeline for the compliance portion of the evaluation. It would require the validation of just 10% of the items on the compliance list, but those items would be selected at random.

The group has also suggested that a number of items be removed from the list, the OCQE's Beth Lear said. Of the 319 items schools were required to verify compliance with, the group found that 15 were not required under law, 12 required sponsors to confirm a negative and 78 were documents to which ODE already has access.

Their recommendations were submitted the same day Superintendent of Public Instruction Paolo DeMaria sent the State Board of Education a memo stating that the agency would revert back to the current rule for the compliance portion of the reviews and continuing working on the new proposal. (See Gongwer Ohio Report, September 1, 2016)

Under those compliance guidelines, ODE would examine whether all rules and laws are being met at just 10% of sponsors' schools as opposed to all of them.

Mr. Cash said that system isn't preferable because sponsors only have to certify that a number of the compliance items are being met.

Allowing sponsors to verify information without a system in place to check for validity puts the state back in the same position it was in when it asked the stakeholder group to make recommendations for a new evaluation process in 2012, he said.

"We wanted to make sure who was performing well and who was not performing well. We wanted tools so we could show we were doing the work we said we were doing," he said, adding that the previous evaluation system simply required sponsors to tell the agency whether they were meeting standards or not.

Mr. Cash said ODE has not responded to the new recommendations or voiced interest in rejoining the conversation.

"They've got to be a partner with us in this work," Mr. Cash said. "They're responsible for the Ohio system of public education and there are 400 charter schools and 120,000 students (that attend them) - that's a significant portion of Ohio's public education system and we need ODE to be partner with us on that so we can keep doing good work."

Ms. Lear said it's also important for ODE to work with sponsors on evaluation system updates because the agency also sponsors a number of charter schools.

"It doesn't really look good for one sponsor to be setting the rules for all sponsors," she said in an interview.

ODE's Brittany Halpin said, "We've received the letter and we always appreciate the input of our stakeholders."

Up next, the group said it plans to offer suggestions for changing the quality and compliance portions of the evaluations following a Sept. 12 meeting.

Mr. Cash said the latest academic portion of the review is concerning because it's centered on report card scores of schools in sponsors' portfolios, despite the fact that sponsors do not have the ability to make curriculum decisions or choose school teachers and leaders.

"All I can do as a sponsor is say, 'You promised you were going to have a school that was going to perform at this level and so far you're not getting there.' I don't have the ability to go ahead make a direct impact on their performance," he said.

### **House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat**

The race to replace term-limited Rep. Nan Baker (R-Westlake) for a seat in suburban Cleveland pits a Republican veteran of local government against a young native of the area with experience working in state and national politics.

Republican nominee Dave Greenspan, 51, of Westlake, is a member of Cuyahoga County Council who moved to Ohio in 2007 from the Atlanta area. He faces Democrat Tommy Greene, 28, a Bay Village native who is the son of a steelworker and a teacher's aide.

Neither candidate faced a primary challenge in the district, which leans Republican.

Mr. Greenspan touted his experience in local government and his ability to work across the aisle. A native of New Jersey who's lived in a number of states and attended Troy University in Alabama, he served on the inaugural city council in Sandy Springs, Ga., when the city was incorporated in 2005. After moving to the Cleveland area in 2007, he was elected to the first Cuyahoga County Council in 2010.

He immediately focused on ethics, chairing the council's ethics committee, he said.

"Coming into a new government, especially one coming out of such deep-rooted corruption, I felt it was very important that the residents and businesses of Cuyahoga County and Northeast Ohio knew that their government was going to be working for them," he said in an interview.

The married father of three doesn't just start up local governments. He has an accounting degree and has spent much of his career as a chief financial officer for a number of companies, mostly startup ventures. He's also been the chief operating officer for the PGA Tour radio network.

He now runs a small business, Green Elk Consulting Services, which provides financial and other advice to startup and turnaround businesses.

Mr. Greene is a graduate of Ohio University who has worked for Equality Ohio and interned for Sen. Sherrod Brown (D-Avon). He now works in business development for North Water Partners, a company in the Ohio City area of Cleveland.

The Democrat grew up in Westlake and Bay Village. He said part of the reason he became interested in politics was because his father lost his job when the steel mill where he worked closed in 2001. Following that, his father took him to a rally that included Sen. Brown and former U.S. Rep. Dennis Kucinich.

"That's when I realized that when families are going through a hard time, they turn to their elected officials not for a handout or for them to answer all of their problems, but to be standing with them when things are going wrong and to be able to provide solutions to make the families a little bit stronger in the future," Mr. Greene said in an interview.

Families, through jobs and education policy, will be a focus for Mr. Greene.

"I kind of view my role as being able to strengthen Ohio's families," he said. "There's a handful of ways we can do that," including more oversight of charter schools. Education funding, particularly for public schools, will be a priority, he said.

He also said he wanted to see more infrastructure development, including pushes for Ohio to develop more clean energy products. Toledo could build more solar panels, for example, he said.

"We have a proud manufacturing history and Ohio has to be a place where we build things," he said. "We can't just be a 100% service sector economy. We have to be a manufacturing state in Ohio."

Mr. Greenspan said he has focused on a wide variety of issues during his time in public office, and believes a comprehensive approach is important. Education and drug problems are both tied to jobs.

A priority for the state, he said, is to develop a workforce of people who are able to do jobs and pass drug tests.

"We have to continue to develop what I refer to as a competent workforce. I think we all can agree that the state is continuing to move the needle in a positive direction toward workforce development," he said, but the work needs to continue.

He said he wants to see a "holistic, total" approach to the economy, one that includes focusing on education to produce good workers, luring in a wide variety of industries, and matching qualified workers with open positions.

"If you look at it in its totality, if you look at it as one big direction to move our state, it's my belief that all of those issues move us in a positive direction," he said.

"Unless you've lived this, unless you've served at the city level, unless you've served at the county level, it's hard to understand how these issues come together," he said.

Mr. Greene, who is openly gay, said nondiscrimination is also an economic development issue. When he worked for Equality Ohio, he said, one of his duties was to talk to executives about the need for nondiscrimination laws in order to recruit talented workers from other parts of the country.

"If Ohio is going to be open for business, we need to be open for talent," he said.

Mr. Greene said his campaign team has been organized and working in the community to spread his message.

"I'm out there every day talking to voters about how we're going to move our state forward," he said.

"I believe regular working families need an advocate in Columbus," he added.

Mr. Greenspan said he believes his experience as an elected official - particularly in a county council district that spans the same cities as the legislative district - sets him apart. He said he is also stressing his willingness to work across the aisle to get things done.

"We have to be able to all work together, collectively, to create the environment in our state to move in the right direction," he said.

His campaign has knocked on more than 27,000 doors already, he said.

"I've represented this district for nearly six years. I believe that I understand the opportunities and the challenges of the district," he said.

### **Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization**

In the wake of the Labor Day holiday, two groups offered competing visions on how to improve the lives of working Ohioans.

In a report released by the Buckeye Institute, the group proposed that Ohio lawmakers make it easier for state and local government employees to decertify their unions. Policy Matters Ohio, meanwhile, released a report calling for lawmakers to make it easier to join and form unions.

According to the Buckeye Institute's report, "One Man, One Vote, One Time? Re-election Votes Hold Unions Accountable to Their Members," there are more than 3,100 bargaining units covering about 300,000 state and local government employees across Ohio. However, most of those employees have had no say in their representation, it said.

"Ohio makes it very difficult for workers to have a voice in their unions," Robert Alt, Buckeye's president and CEO, said in a statement. "Under current law, the ability for union workers to hold an election is far more cumbersome than how we conduct our elections for public officials. And elections keep people accountable."

In the past three years, just 14 validly submitted decertification petitions have been submitted to the Employment Relations Board. Unions prevailed in three of those re-election efforts, the report found.

The report, however, said the decertification process is a cumbersome one, providing a 30-day window in which 50% of government employees in a bargaining unit need to sign a petition to trigger a vote.

"Just as voters hold their public officials accountable so, too, should workers be able to call for better representation," Rea Hederman Jr., executive vice president of The Buckeye Institute, said. "Ohio should follow the lead of other states by requiring their government unions to regularly stand for re-election, which will only improve their responsiveness to member needs."

The report goes on to list several complaints unionized employees have with their bargaining units, including dues spent on political activities, leaders' salaries and "insufficient" leadership elections.

"Union members should have the freedom to regularly decide whether to remain unionized. Such re-election votes would make unions more accountable to their members," the report concludes. "They would force union leaders to serve their members' interests instead of pursuing their own priorities. Workers deserve the ability to hold their union regularly accountable. Meaningful representation does not mean one man, one vote, one time."

But in its report, "Still struggling: State of Working Ohio 2016," Policy Matters Ohio says lawmakers should be promoting unionization.

Unionized workers in Ohio made about \$4 more per hour than their non-unionized counterparts in 2015, according to the report.

"Unions improve wages but Ohio's legislators and governor have often taken steps to weaken unions and reduce the number of workers who can get the protection, training and compensation benefits that come with being a member of a labor union. In order to broaden unionization in Ohio, the state should reject the misnamed 'right-to-work' initiative - states that take this approach end up with lower wages," the report reads

"Ohio should also allow home health workers and childcare workers to become part of a union - two particularly important and low-wage occupations that were once promised the right to organize into unions. For both groups, Gov. Kasich has eliminated the right to join a union and bargain collectively."

The report goes on to state that unions can reduce inequality for black and female workers. It found that black unionized workers make \$4.31 more per hour than their non-unionized counterparts while women in unions make \$3.91 more per hour.

"Ensuring that more workers can join unions will better spread the benefits of unionization," the report states.

### **State Board Looking To Help 2,000 Displaced Ohio ITT Students**

ITT Technical Institute's parent company announced Tuesday it is pulling the plug on its 137 campuses across the country, officially displacing about 2,000 Ohio students and an unknown number of employees.

Left to help fill in the gap is the Ohio State Board of Career Colleges and Schools, which is stepping in to ensure displaced students aren't left behind by the closure of the Indiana-based company that served nearly 45,000 students in 38 states.

"This is going to be a difficult process I'm sure, but we'll continue to work with the students," Board Executive Director John Ware said in an interview.

The closure had been expected ever since the federal government late last month unveiled an array of penalties, including banning the school from enrolling students with federal financial aid, after the school was found to be out of compliance with accreditation criteria.

The company on Tuesday confirmed that after assessing its options, the sanctions were deemed a death knell.

"It is with profound regret that we must report that ITT Educational Services, Inc. will discontinue academic operations at all of its ITT Technical Institutes permanently after approximately 50 years of continuous service," the company announced in a press release.

"With what we believe is a complete disregard by the U.S. Department of Education for due process to the company, hundreds of thousands of current students and alumni and more than 8,000 employees will be negatively affected."

As of Tuesday, the company had already eliminated the "overwhelming majority" of its employees and said remaining staff members are prioritizing helping displaced students determine their options.

The state board has been working on contingency plans for the students enrolled at ITT's nine Ohio campuses since the August penalties were announced, Mr. Ware said. The fact that those campuses are spread out across all corners of the state poses a particular challenge, he added.

He said the board has been working to enlist other schools for teach-out agreements in which case the school would agree to accept displaced students' ITT credits and any related financial aid. The board will be emailing a list of those schools to students this week, he said.

"Sometimes it depends on how far along in their program they are and what program they are in so we'll have to figure that out for each student - what they need to do," he said.

Alternately, he said, the board will work to connect students unable to continue their program elsewhere with the U.S. Department of Education where they could receive a loan discharge.

"We'll work with ITT to make sure students have access to their transcripts and records and anything like that the students would need going forward," Mr. Ware said. "We've already had communication about this and I know ITT was going to send an email with some of this information out to their students sometime today."

ITT's closure is the latest result of a crackdown of the federal government on for-profit colleges, although Mr. Ware said most previous closures "have been more orderly than this."

"It's been a painful process," he said.

Among the penalties levied against ITT was a requirement the company increase its existing surety from \$94 million to more than \$240 million - or 40% of all Title IV aid the school received in 2015 payable in full. The company pointed to that stipulation specifically as to why it is unable to continue operations.

"We believe the government's action was inappropriate and unconstitutional, however, with the ITT Technical Institutes ceasing operations, it will now likely rest on other parties to understand these reprehensible actions and to take action to attempt to prevent this from happening again," the company said.

In a message to ITT students, U.S. Education Secretary John King acknowledged the news will have a "deeply personal" impact on affected students and, vowing to support students as they work through their options, encouraged students to not give up on their education.

**Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says**

Ohio was one of four states that saw its obesity rate fall in 2015, according to a report from the Trust for America's Health and the Robert Wood Johnson Foundation.

The Buckeye State ranked 26<sup>th</sup> in the U.S. with an adult obesity rate of 29.8%. That's down from 32.6% a year earlier.

Although Ohio saw a drop year-over-year, the rate was still well above what it was a decade earlier, when 24.9% of Ohio adults suffered from obesity, according to the report. In 1995, the rate was 16.1%.

The drop in Ohio and three other states - Minnesota, Montana and New York - was the first time in the last decade that any states experienced decreases except for Washington, D.C., in 2010.

Louisiana had the highest rate of obesity at 36.2%, while Colorado had the lowest at 20.2%.

Ohio had the 14<sup>th</sup> highest rate of obesity among children ages 10-17, at 17.4%, and was 35<sup>th</sup> in obesity for children ages 2-4 from low-income families, with 12.4%.

The report also cited a number of obesity-related health issues. Ohio was 17<sup>th</sup> in adult diabetes, with 11% of adults suffering from the disease. That number was down from a year before, but the overall trend remains upward - Ohio is expected to go from just over 1 million cases of diabetes in 2010 to nearly 1.6 million in 2030 at its current pace.

Even more Ohio adults suffer from hypertension. Ohio was 13<sup>th</sup> in that category, with 34.3% of adults having the condition. The number of cases is expected to rise from 2.3 million in 2010 to nearly 3.1 million in 2030 at its current pace.

Cases of heart disease and obesity-related cancer are both expected to rise dramatically over the next two decades, the report said, while arthritis cases are likely to decrease.

The State Health Assessment cited obesity among the chronic conditions that pose serious health risks to the state. That report cited links between obesity and other chronic conditions, and noted the racial and geographic disparities among them. (See Gongwer Ohio Report, August 22, 2016)

The SHA found obesity to be a problem cited by public health experts in all areas of the state and among a wide variety of different groups. The report cited nutrition and physical activity as possible contributing factors and opportunities for improvement.

"Although Ohio's high prevalence of obesity and diabetes indicate that much more progress is needed on physical activity, this assessment finds that Ohio has some strengths in this area," the SHA said. "First, the percent of Ohio adults reporting no leisure-time physical activity declined from 2013 to 2014 and met the Healthy People 2020 target. Second, regional forum participants in most areas of the state identified their active living environments as a characteristic that made them proud of their

community, and all regions identified a positive active living environment as one of the most important characteristics of a healthy county or region."

The Trust for America's Health report on obesity also found racial disparities in obesity. Among white Ohioans, the rate of obesity was 30.5%, while it was 37.1% among black Ohioans.

The gap was narrow between men and women, with 30.5% of men and 29.7% of women. For different age groups, it was wider, with the obesity rate among Ohioans 45-64 at 36.3%, compared to 29% for those 65 and older, 27.9% for those 26 to 44 and 17.8% for those 18-25.

Dana Schmersal, a spokeswoman for Voices for Ohio's Children, said policymakers should continue to work on programs to improve childhood nutrition.

"We are very glad to see the downward trend for childhood obesity rates in Ohio," she said in an email. "Child nutrition, however, remains a key issue across the state as both obesity and food insecurity impact far too many Ohio families, leaving our state to face the expensive cognitive, behavioral, educational, economic and health consequences that follow. Of course, it is not enough to make food more accessible and nutritious - we must work with schools, child care providers, and communities to ensure that meals are consistent with a healthier lifestyle supported by comprehensive health and physical education inside and outside of the classroom."

### **Trump, Clinton Spend Holiday Campaigning In Ohio**

GOP nominee Donald Trump and Democratic nominee Hillary Clinton ventured back to the Buckeye State Monday as they continued to court voters.

Ms. Clinton spoke at a Cleveland rally, where she and vice presidential candidate Tim Kaine stressed the importance of the state in the electoral landscape.

"You're used to this," Sen. Kaine told Ohio voters, saying the election has entered the "home stretch."

"You're used to the fact that you're one of the two or three most important states in any presidential election going back since there were presidential elections," he said.

In her remarks to the crowd, Ms. Clinton again questioned Mr. Trump's suitability for the office of president. She also touted a newly announced book, written by herself and Sen. Kaine, called "Stronger Together" that will showcase their plan for the future.

"We are stronger together, and that is in stark contrast to Donald Trump," she said. "When he says, 'I alone can fix it,' he doesn't understand how America works."

Mr. Trump that same day participated in a labor roundtable Monday at a Brook Park American Legion post. Media access was limited at the event, which was only first announced that morning.

"I was happy to show Mr. Trump first-hand some of the challenges that we have faced in Northeast Ohio, with local plants shutting down and jobs leaving for overseas," Brook Park Mayor Tom Coyne said in a statement released by the campaign. "Mr. Trump speaks our language, I think he's more comfortable talking to labor and working class people than he is talking to bankers, and it shows."

Mr. Trump then attended the Canfield Fair, while at the same time Clinton surrogates launched attacks seeking to undermine Mr. Trump's attempt to draw blue-collar support.

"Hillary Clinton knows that America is already great because of your hard work, because of your values, your integrity," AFL-CIO President Richard Trumka told those at the fair. "She knows that our economy is strongest when we can band together and negotiate for better wages, better benefits and better working conditions. She wants to rewrite the rules of the economy so that working people win and not just billionaires, like Donald Trump, win."

The Clinton campaign on Tuesday evening is scheduled to open its latest organizing office, this one in Delaware County. The campaign has launched more than three dozen such offices across the state.

Mr. Trump, meanwhile, rated two points above Ms. Clinton in a Tuesday national poll from CNN/ORC. Mr. Trump earned 45% to Ms. Clinton's 43%, putting the pair at a statistical tie when accounting for the margin of error.

Libertarian Gary Johnson and Green Party candidate Jill Stein earned 7% and 2% respectively in that survey.

### **Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman**

A national super PAC has canceled \$3 million worth of additional ads it planned to air supporting U.S. Senate candidate Ted Strickland.

The Senate Majority PAC announced the additional cuts Tuesday - the second such reduction the group has made in the last month. A spokesman said the group was seeking to "maximize resources."

The group had already scrapped ads set for later this month. But the additional cuts for ads previously set to air between Sept. 20-Oct. 10 mean the PAC will have no pro-Strickland advertising on Ohio airwaves until October at the earliest.

Strickland campaign spokesman David Bergstein in a statement downplayed the move, which is seen as the latest sign of Mr. Strickland losing ground to his opponent U.S. Sen. Rob Portman, saying "there's still a lot of race left to run."

"We just recently launched our paid media campaign, the national environment is rapidly deteriorating around Portman, he's facing a daily firestorm about his continued support for Trump - and Portman's small, weak field operation can't compete with the Ohio Democratic Party's coordinated field campaign which has hundreds of organizers and volunteers across the state working to elect Ted, Secretary Clinton and Democrats at every level," Mr. Bergstein said.

"Ted's going to do what he does best: campaign vigorously across Ohio, talking about the central contrast in this race - he's fighting for working people because that where he comes from and that's who he cares about, while Senator Portman is looking out for his rich and powerful friends," he continued.

The PAC had already cancelled about \$191,000 worth of ads previously intended to run between Sept. 6-19. At the same time, the Democratic Senatorial Campaign Committee announced it was pushing back the launch of its own ads by one week, cancelling about \$500,000 in reserved airtime in September and moving that money to support the campaign's own advertising. (See Gongwer Ohio Report, August 30, 2016)

The network run by brothers and GOP donors Charles and David Koch then announced they had cancelled pro-Portman ads to the tune of \$2.1 million. (See Gongwer Ohio Report, August 31, 2016)

The Ohio Democratic Party and U.S. Rep. Tim Ryan (D-Niles) came to the former governor's defense Tuesday at a press conference blasting Sen. Portman for "turning his back" on the auto industry.

"It's the central contrast in this race: Ted is fighting for Ohio's working families, while Sen. Portman is pushing the agenda of his rich and powerful friends in Washington," Rep. Ryan said. "We need someone who represents our values. It's pretty simple - working families need Ted Strickland in the U.S. Senate."

Mr. Strickland did land the endorsement of the Sierra Club Tuesday, which in turn drew the ire of the Ohio Coal Association which released a statement criticizing Mr. Strickland's stance on coal.

Sen. Portman, meanwhile, enlisted the help of famed golfer Jack Nicklaus with a new ad that is part of a \$15 million ad campaign that has already begun to air.

"Rob is the real deal, he's making a difference in standing up for American manufacturing, and he's fighting to strengthen our military to keep us safe. Rob Portman is Ohio's champion," Mr. Nicklaus says in the ad.

The Portman campaign used the Ohio State University football opener Saturday and a related Snapchat filter to expand its outreach to students and fans.

"We are proud to work with our impressive Students for Portman group, which is organized on more than 30 campuses and has helped us contact more than 3.5 million targeted voters," Portman campaign spokeswoman Michawn Rich said. "The coalition is helping ensure Rob's message of pro-growth policies for better wages and more jobs reaches students across Ohio during this campaign."

**From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...**

Ohio's U.S. senators praised a recent International Trade Commission finding that the country's steel industry has been hurt by cold-rolled steel imports from other countries.

The ITC determined imports from Brazil, India, South Korea and the United Kingdom have all played a role in harming the industry, but stopped short of listing Russia as having engaged in unfair trade practices.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Avon) both welcomed the ITC's determination, with Sen. Portman in a statement calling the situation facing Ohio's steelworkers a "crisis."

"Nearly 1,500 Ohio steelworkers were laid off last year through no fault of their own," Sen. Portman said. "Today the ITC recognized exactly what I told them: that unfair, dishonest practices from competitors in these countries are hurting our communities. Our work is far from over, but today's ruling is another step in leveling the playing field, and it is another win for Ohio steelworkers."

Sen. Brown said unfair trade practices are threatening the stability of that and other industries. He had previously advocated that Russia be included in the ITC investigation.

"When other countries don't play by the rules, the U.S. government must take action to protect American manufacturers," Sen. Brown said. "It's disappointing that the ITC did not recognize Russia's unfair trade practices, but the enforcement of antidumping and countervailing duties on cold-rolled steel imports from Brazil, India, South Korea, and the United Kingdom is a good step forward in providing the steel industry with the relief it needs."

In other trade news, Sen. Portman last week criticized the European Union's ruling that Apple owes \$14 billion in back taxes, saying the ruling highlights the need for international tax reform.

"Retroactive taxes not based in the rule of law are an attack on all U.S. companies doing business globally," the senator said. "The Commission is blatantly attempting to take advantage of the antiquated U.S. international tax system, and at the end of the day, it's

U.S. taxpayers footing the bill. This decision is another indicator of the urgent need for international tax reform."

**Housing:** U.S. Rep. Marcy Kaptur (D-Toledo) applauded the recent award of more than \$2.1 million toward Cuyahoga County homeless veteran support.

The Department of Veterans Affairs announced the award to Cleveland-based Frontline Service to support "Operation Cleveland Home Front," a program that provides transitional housing to veterans and their families.

"No one who has served our country with dignity and honor should face the indignity of being without adequate shelter," Rep. Kaptur said, adding that the program "offers veterans and their families a helping hand through transitional, temporary housing, a chance that offers hope and the prospects of a second chance to make a better life for themselves and their families. These brave men and women served our country, and this support program is our service in return."

**Technology:** U.S. Rep. Bob Latta (R-Bowling Green) praised Ohio State University's ElectroScience Lab during a recent tour of the facility. The lab is one of the largest radio frequency optics research laboratories in the world.

"The work they are doing at the ElectroScience Lab is pushing the limits in advancing technology," Rep. Latta said. "The research that is being conducted will pay countless dividends in the wireless communication and radio frequency fields."

**Piketon:** Sens. Brown and Portman continue their efforts to secure funding for the ongoing cleanup of the Portsmouth Gaseous Diffusion Plant.

The two earlier this month asked Senate appropriators to include funding for the project in any short-term continuing resolution considered by the upper chamber. Continued funding for the effort, they said, is in jeopardy because the 2017 Energy and Water Appropriations bill passed by the Senate, which includes the funding, has not yet received House action.

"Portsmouth's D&D efforts are an integral part of the Department of Energy's commitment to the people of southern Ohio," the pair wrote to the Senate Appropriations Committee. "Continued operations at the present level are an essential part of that commitment."

**Backpage:** Sen. Portman chalked up another victory in lawmakers' ongoing legal proceedings against Backpage.com.

Sen. Portman and Sen. Claire McCaskill (D-Mo.) as leaders of the Senate Permanent Subcommittee on Investigations have long been focused on an uncooperative Backpage in their attempt to determine the website's role in facilitating sex trafficking.

In the latest development, the D.C. Circuit Court denied Backpage's request for a stay, meaning the company must now turn over all documents that have been subpoenaed to the committee within 10 days.

"Today's ruling is a major step forward in our efforts to stop the scourge of online human trafficking and stand up for its thousands of innocent victims across the United States," Sen. Portman said. "With this decision, we look forward to examining the subpoenaed documents that Backpage has withheld. We are committed to continuing our bipartisan investigation and ensuring that our laws effectively protect the most vulnerable from sex traffickers and businesses that aid them."

**Coal:** Sen. Brown welcomed more than \$1 million in federal relief funding to Ohio miners and their families that have experienced layoffs.

The Department of Labor announced the funding to the Ohio Department of Job and Family Services this month to fund reemployment efforts for those workers. The award brings Ohio's total federal funding to \$2 million, including a \$916,250 grant from 2015.

"The changing coal economy has put some workers out of a job through no fault of their own," Sen. Brown said. "This grant will give Ohio the tools to continue its support for displaced workers and help them get back on their feet."

**Drugs:** Sen. Portman joined Walgreens workers as they unveiled 18 drug take-back kiosks for their Ohio stores.

In a Toledo press conference, the lawmaker voiced his support for the effort announced in February, which will culminate in the kiosks being placed in 500 of the chain's stores across the country.

"Addiction to prescription painkillers has reached epidemic levels in Ohio and across the country," Sen. Portman said. "Fighting back against this epidemic will require all of us working together at the federal, state, and local community level."

**Women's Summit:** Sen. Brown announced the second annual Women's Leadership Summit will take place at 9 a.m. Saturday at the Global Center for Health Innovation in Cleveland. For more information and a list of speakers visit the event's website.

"Ohio women are achieving remarkable things, and we must build on their success so all women can have an opportunity to succeed," Sen. Brown said. "The Women's Leadership Summit aims to celebrate the accomplishments of women and highlight strategies for overcoming obstacles to success."

**Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...**

Voters in Meigs County could soon have the opportunity to change their form of government.

The Ohio Supreme Court on Tuesday ruled that the county's board of commissioners erred by not approving a resolution to place a charter amendment on the ballot in 2015.

The 4-3 per curiam decision reverses a Fourth District Court of Appeals ruling.

The commissioners received a letter from the board of elections on July 2, 2015 stating that a petition filed by Meigs County Home Rule Committee had a sufficient number of valid signatures to be placed on the November ballot, the court reported.

However, the commissioners in a July 9 letter back to the board said the July 2 letter was incomplete and lacked certain information. In a special meeting on July 14, the commissioners failed to certify the issue for the ballot because they said the board of elections failed to meet the deadline to submit a report at least 120 days prior to the election.

"But even if the first letter were insufficient, when the board of elections ultimately certifies the validity of a petition and the delay was not the fault of the initiative's supporters, a writ of mandamus will issue to place the matter on the ballot. Any other result would be unfair and thwart the constitutional right of initiative," the court wrote in its decision.

Citing a 2015 case in which Secretary of State Jon Husted invalidated a county charter initiative on the grounds that the proponents did not propose a form of county government, the commissioners argued that committee also failed to propose a form of county government.

However, the court found that is a determination for Secretary Husted to make.

"We will not intrude into the process before the secretary has had a chance to exercise his discretion," the majority wrote.

Chief Justice Maureen O'Connor and Justices Judith Ann Lanzinger, Judith French and Bill O'Neill constituted the majority.

Justices Paul Pfeiffer and Sharon Kennedy joined a dissenting opinion in which Justice Terrence O'Donnell sided with the appellate court.

**Injury:** A man who was injured as he attempted to sit in a seat that broke and dropped to the ground at a University of Akron basketball game will receive no financial compensation, the Court of Claims ruled.

The court found that Raymond Williams failed to prove that the university did not exercise ordinary or reasonable care and denied his claim for \$10,000 in damages.

Mr. Williams claimed the fall resulted in more than \$5,000 in medical bills, the Ohio Supreme Court reported.

However, a university investigation found that Mr. Williams told a responding usher and supervisor that he did not fall because he caught himself as the chair broke and that he declined medical attention at the time.

**Reprimands:** The Ohio Supreme Court has issued three public reprimands:

- Justin E. Fernandez of Cincinnati for allegedly neglecting a client's legal matter and the improper use of an out-of-state company to provide paralegal and paraprofessional services.
- Steven B. Beranek of Medina for allegedly failing to inform his clients that he did not have professional liability coverage.
- Patrick L. Clifton of Crestview Hills, Kentucky for allegedly violating the rule that prohibits a lawyer from knowingly making a false statement to a tribunal and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

**Conviction:** The Bureau of Workers' Compensation announced the conviction of a man a Toledo man who used a fake identity to collect benefits.

David Abitua, 51, pleaded guilty Aug. 18 in Franklin County Common Pleas Court to one fifth-degree felony count of workers' compensation fraud, according to BWC.

"If you try to cheat the workers' compensation system, even while hiding under a false identity, we will find you and prosecute you to the fullest extent of the law," Sarah Morrison, Administrator/CEO for the BWC, said in a statement. "Workers' compensation fraud raises costs for everyone in the system and diverts resources needed for injured workers and making Ohio workplaces safer."

Using a false Social Security number and the alias of Jose L. Vasquez, Mr. Abitua collected injured workers' benefits from November 2009 until October 2012.

#### **Supplemental Agency Calendar**

**Thursday, September 8**

Broadcast Educational Media Commission, 2470 North Star Road, Columbus, 10 a.m.

Children's Trust Fund, 77 South High Street, 13th Floor East Conference Room, Columbus, 10 a.m.

#### **Supplemental Event Planner**

**Wednesday, September 7**

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

Release of August casino revenue figures, 1:30 p.m.

## **Sunday, September 11**

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Rep. Kyle Koehler (R-Springfield) fundraiser, Echo Ridge Farm, 4674 Hominy Ridge Rd., Springfield, 2 p.m., (Sponsor: \$1,000; Host: \$500; Partner: \$350 to Citizens to Elect Kyle Koehler)

## **Thursday, September 29**

---

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Keller residence, 8325 Princeton Road, Liberty Twp., 6 p.m., (\$1,000 Event Host | \$500 Event Chair | \$250 Event Sponsor | \$100 Individual to Friends of Bill Coley)

## **Monday, October 10**

---

Sen. Peggy Lehner (R-Kettering) fundraiser, K-12 Gallery and TEJAS, 341 S Jefferson St., Dayton, 5 p.m., (Special Guest: Sen. Obhof. \$2,500 Michelangelo Sponsor | \$1,000 Van Gogh Sponsor | \$500 Picasso Sponsor | \$150 per Couple | \$100 per Individual to Citizens for Lehner)

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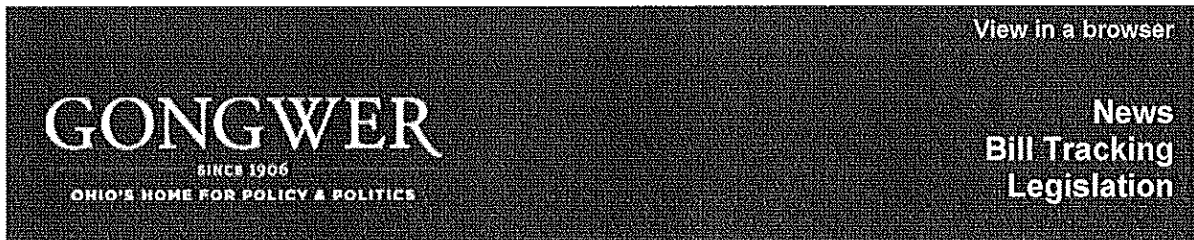
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Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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## HOUSE ACTIVITY REPORT

### INTRODUCED AND REFERRED

#### HCR 38

#### **CANCER CENTER** (Conditt, M., Dever, J.)

To express support for the Proton Therapy Center at Cincinnati Children's Hospital and to urge that it be recognized by the National Cancer Institute as a Designated Cancer Center.

### PASSED

#### SB 252

#### **CARDIAC ARREST** (Hite, C., Patton, T.)

With regard to sudden cardiac arrest in youth athletic activities.

86-4 (Brinkman, Dean, Hood & Vitale)

#### HB 533

#### **AWARENESS MONTH** (Sprague, R.)

To designate the month of May as

"Neurofibromatosis Awareness Month."  
91-0

**HB 535**

**MILITARY BENEFITS (Perales, R.)**

To extend employment and reemployment protection to a person who is a member of another state's national guard or organized militia and who is employed in Ohio.

93-0

## **CALENDAR FOR COMING SESSION**

**SB 225**

**AWARENESS DAY (Bacon, K.)**

To designate the first day of June as "Hypoparathyroidism Awareness Day."  
Thursday, Nov. 17

**HB 270**

**OVERDOSE DEATHS (Dever, J., Pelanda, D.)**

To provide that causing the death of another person by an overdose that results from the offender's sale, distribution, dispensation, or administration of a controlled substance or controlled substance analog is a violation of the offense of involuntary manslaughter and to make this provision a strict liability offense.

Thursday, Nov. 17

**HB 520**

**RETIREMENT SYSTEMS (Schuring, K., Ramos, D.)**

To revise the law governing the state's public retirement systems.

Thursday, Nov. 17

## **HOUSE CONCURS IN SENATE AMENDMENTS**

**HB 300**

**LICENSE SUSPENSIONS (Baker, N., Manning, N.)**

To modify the law governing the termination or modification of a lifetime driver's license suspension or a class two suspension that exceeds fifteen years, to specify that a class one driver's license suspension for a specified aggravated vehicular homicide offense begins upon the offender's release from prison, and to expand the purposes for which limited driving privileges may be granted during a driver's license suspension.

89-0

## **HOUSE ELECTS MEMBER**

**WES GOODMAN, REPUBLICAN, 87TH DISTRICT**

**CANDICE KELLER, REPUBLICAN, 53RD DISTRICT**

## **REFERRED**

**Armed Services, Veterans Affairs & Public Safety**

**HB 615**

**MILITARY LICENSE PLATES (Johnson, G.)**

To allow a military veteran license plate to include the names of multiple military operations on one license plate.

**Community & Family Advancement**

**HB 618****RECORD EXPUNGEMENT (Schuring, K., Reece, A.)**

To provide for the expungement of official records related to the apprehension, arrest, criminal charging, or trial of a person based on mistaken identity.

**Financial Institutions, Housing & Urban Development****HB 616****BANKING LAW (Amstutz, R.)**

For the purpose of enacting a new banking law for the State of Ohio.

**Government Accountability & Oversight****HJR 9****GENERAL OBLIGATION BONDS (Amstutz, R., Curtin, M.)**

Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission relative to the issuance of general obligation bonds to pay the costs of facilities for mental health and developmental disabilities, parks and recreation, and housing of agencies of state government.

**HJR 10****OBSOLETE BOND PROVISIONS (Amstutz, R., Curtin, M.)**

Proposing to enact Section 18 of Article VIII and to repeal Sections 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2j, and 2k of Article VIII of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission that obsolete bond-authorizing provisions be eliminated.

**HJR 11****SINKING FUND (Amstutz, R., Curtin, M.)**

Proposing to amend Section 2 and to repeal Sections 7, 8, 9, 10, and 11 of Article VIII of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission that certain provisions concerning the sinking fund and the Sinking Fund Commission be eliminated.

**HJR 12****COURTS OF CONCILIATION (Amstutz, R., Curtin, M.)**

Proposing to repeal Sections 19 and 22 of Article IV of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission to eliminate the authority of the General Assembly to establish courts of conciliation and to eliminate the authority of the Governor to appoint a supreme court commission.

**HB 613****SUNSET REVIEW LAW (Amstutz, R.)**

To revise and renew the Sunset Review Law, to require that a Sunset Review Committee be convened to function during each oddnumbered General Assembly, and to declare an emergency.

**HB 617****BOARD CONSOLIDATIONS (LaTourette, S.)**

To require the Director of Administrative Services to review referred agency actions and determine whether they are consistent with state and federal antitrust law; to create the State Vision and Hearing Professionals Board, the State Behavioral Health Professionals Board, and the State Physical Health Services Board; to abolish the State Board of Optometry, the Ohio Optical Dispensers Board, the Hearing Aid Dealers and Fitters Licensing Board, and the Board of Speech Language Pathology and

Audiology and transfer those boards' duties to the State Vision and Hearing Professionals Board; to abolish the Chemical Dependency Professionals Board, the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology and transfer those boards' duties to the State Behavioral Health Professionals Board; to abolish the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the State Board of Orthotics, Prosthetics, and Pedorthics and transfer those boards' duties to the State Physical Health Services Board; to abolish the Ohio Board of Dietetics and transfer its duties to the State Medical Board; to abolish the Ohio Respiratory Care Board and transfer its duties to the State Board of Pharmacy and the State Medical Board; to make other changes regarding licensing and regulating certain health professionals; and to make an appropriation.

#### **Transportation & Infrastructure**

##### **HB 614**

##### **PORT AUTHORITY MEETINGS (Patterson, J., Perales, R.)**

To allow airport and port authorities to conduct meetings by video conference and teleconference.

#### **Ways & Means**

##### **HB 612**

##### **DISASTER BUSINESS EXEMPTION (Ryan, S.)**

To exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster

## COMMITTEE HEARINGS

### Finance

#### **HJR 5**

#### **WATER SEWER BONDS (Lepore-Hagan, M., Smith, K.)**

Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements.

CONTINUED

#### **SB 235**

#### **PROPERTY TAXES (Beagle, B., Coley, B.)**

To exempt from property tax the increased value of property on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property.

CONTINUED (See separate story)

#### **HB 67**

#### **MEDICAL GRANTS (Ramos, D.)**

To create the Frances Lewandowski Memorial Medical Research Fund and the Medical University Research Reserve Fund to provide grants to public medical schools for research on terminal, chronic or currently incurable diseases, to require the General Assembly annually to appropriate for those grants an amount equal to not less than one-tenth of one percent of total prior year General Revenue Fund appropriations, and to make an appropriation.

CONTINUED

#### **HB 492**

#### **CAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.)**

To create the Supplemental State Capital Improvements Pilot Program funded by a temporary

transfer from the Budget Stabilization Fund and to make an appropriation.

CONTINUED

**HB 583**

**COLLECTIVE BARGAINING (Becker, J.)**

To remove any requirement under the Public Employees Collective Bargaining Law that public employees join or pay dues to any employee organization, to prohibit public employers from requiring public employees to join or pay dues to any employee organization, to prohibit an employee organization from being required to represent public employees who are not members of the employee organization, and to make an appropriation.

RE-REFERRED (To Commerce & Labor)

**HR 282**

**HIGHER EDUCATION (Howse, S., Ramos, D.)**

To support efforts to ensure that students from Ohio have access to debt-free higher education at public colleges and universities.

CONTINUED

**Insurance**

**SB 27**

**FIREFIGHTER CANCER (Patton, T.)**

To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter.

CONTINUED-SUBSTITUTE

**HB 275**

**VISION CARE (Schuring, K.)**

Regarding limitations imposed by health insurers on

vision care services.  
CONTINUED

**HB 416**

**SELF INSURANCE** (Schuring, K.)

To enable state colleges and universities to establish joint self-insurance pools.  
CONTINUED

**Finance: Health & Human Services Sub.**

**SB 319**

**DRUG REGULATIONS** (Eklund, J.)

To revise certain laws regarding the regulation of drugs, the practice of pharmacy, and the provision of addiction services.

**SB 332**

**INFANT MORTALITY** (Jones, S., Tavares, C.)

To provide for the implementation of recommendations made by the Commission on Infant Mortality and to authorize pharmacists to administer by injection certain prescribed drugs.

**State Government**

**SB 199**

**MILITARY FIREARMS** (Uecker, J., Gardner, R.)

To specify that an active duty member of the U.S. Armed Forces: (1) does not need a concealed handgun license to carry a handgun concealed if the member is carrying valid military identification and a certificate indicating successful small arms qualification; and (2) may be sold or furnished a handgun if the member has received military or equivalent small arms training.

**SB 220**

**DEFERRED COMPENSATION** (Hottinger, J.)

To authorize the Ohio Public Employees Deferred

Compensation Board and local governments to establish designated Roth account features and other tax-deferred or nontax-deferred features permitted for government deferred compensation plans.

#### **HB 529**

#### **FIREARMS (Retherford, W., Hagan, C.)**

To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training or comparable training and who is authorized to carry firearms by the law enforcement agency the professional is serving to carry firearms while on duty in the same manner, to the same extent, in the same areas, and subject to the same potential for civil and criminal liability as a law enforcement officer of the agency; and to grant such a professional, while on duty in that capacity, the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license.

#### **HB 551**

#### **FOOD INSPECTIONS (Hill, B.)**

To require the Director of Agriculture and the Director of Health to adopt rules governing reviews of registered sanitarians and sanitarians-in-training who conduct inspections of retail food establishments and food service operations.

### **Public Utilities**

#### **HB 554**

#### **RENEWABLE ENERGY (Amstutz, R.)**

To revise the requirements for renewable energy, energy efficiency savings, and peak demand reduction and to revise provisions governing which customers can opt out of related programs.

SCHEDULED BUT NOT HEARD (See separate story)

**Health & Aging**

**SB 165**

**LIFE-SUSTAINING TREATMENT (Lehner, P.)**

To establish procedures for the use of medical orders for life-sustaining treatment and to make changes to the laws governing DNR identification and orders.

CONTINUED

**SB 245**

**MALNUTRITION (Manning, G.)**

To create the Malnutrition Prevention Commission to study malnutrition among older adults.

CONTINUED

**SB 291**

**AWARENESS MONTH (Yuko, K.)**

To designate September as "Pain Awareness Month."

REPORTED

**HB 580**

**MONTH DESIGNATION (Johnson, T., Huffman, S.)**

To designate the month of November as "One Health Awareness Month."

REPORTED

**HB 603**

**PALLIATIVE CARE (LaTourette, S.)**

To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care.

CONTINUED

**HB 611**

**HOSPITAL AFTER-CARE (LaTourette, S.)**

To provide for the designation of a lay person to provide after-care to a hospital inpatient and participate in discharge planning.

**CONTINUED**

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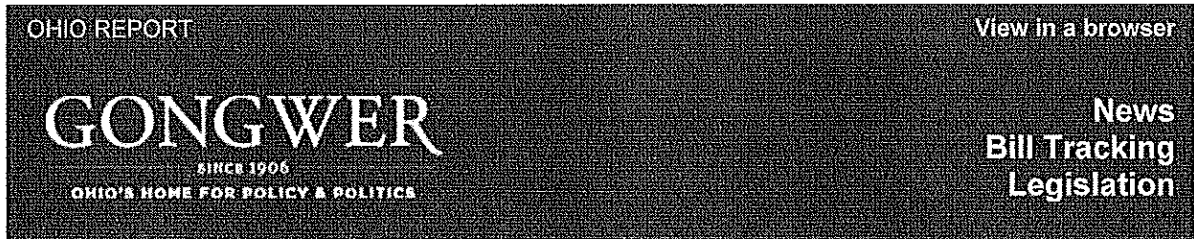
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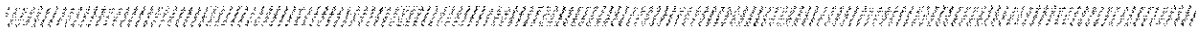
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## **OHIO REPORT TUESDAY, NOVEMBER 22**



**Senate Hears Mixed Review Of Energy Freeze Bill; Early December Committee Vote Eyed**

**Senate Panel Takes Up Ignition Interlock Device Measure**

**Proponents Urge Senate Support For Ohio EPA Updates**

**Committee Chair Raises Concerns About Insurance Bill**

**Medical Board Closes Investigation Into Dayton Abortion Clinic**

**Buckeye Institute Touts Charity Care; OSMA Launches Opioid Campaign; Innovation Ohio Eyes Food Insecurity**

**Farmers Union Prices Thanksgiving Dinner; AG Warns On Holiday Shopping Scams; DSW Sales Up**

**Governor's Appointment**

**Attorney General's Opinion**

**Supplemental Agency Calendar**

**Supplemental Event Planner**

**Senate Committee Hearings**

**Energy & Natural Resources**

**Insurance**

## **ACTIVITY REPORTS**

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**Senate**

## **CALENDARS**

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**Day Planner**

**Legislative Committee Schedules**

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## Senate Activity for Tuesday, November 22, 2016

### INTRODUCED

**SB 369** ■ **ROAD NAMING** (Patton, T., Manning, G.) To designate a portion of Interstate Route 90 in Cuyahoga County as the "Patrol Trooper Kenneth Velez Memorial Highway." Am. 5534.46

**SB 370** ■ **LICENSE PLATE** (Patton, T.) To create the "University of Notre Dame" license plate. Am. 4501.21 and to enact section 4503.514

**SB 371** ■ **COUNTY PROSECUTORS** (Thomas, C.) To prohibit prosecuting attorneys of counties with a population of 400,001 or more from engaging in the private practice of law. Am. 309.02 and 325.11

17 S. High St., Suite 630  
Columbus Ohio 43215  
Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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## Legislative Committee Schedules beginning 11/23/2016

### Monday, November 28

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 10:30 a.m.  
Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), Finance Hearing Rm., 2 p.m.

- SB 136** **SCHOOL SECLUSION** (Tavares, C.) To prohibit the use of seclusion on students in public schools. (1st Hearing-Sponsor)
- SB 346** **SCHOOL YEAR** (Manning, G.) To generally require public and chartered nonpublic schools to open for instruction after Labor Day. (2nd Hearing-Proponent)
- HB 89** **MEDICAID SCHOOL PROGRAM** (DeVitis, T.) Regarding the Medicaid School Program. (2nd Hearing-All testimony)
- HB 383** **FINANCIAL LITERACY** (Hagan, C., McColley, R.) To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (2nd Hearing-All testimony)
- HB 85** **ABUSE PREVENTION** (Ramos, D., Hagan, C.) With respect to age-appropriate student instruction in child sexual abuse and sexual violence prevention and in-service staff training in child sexual abuse prevention. (2nd Hearing-Proponent)

### Tuesday, November 29

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 113, 9 a.m.

- SB 227** **ATTORNEY GENERAL** (Bacon, K.) To make various changes to the laws governing the duties and functions of the Attorney General. (1st Hearing-Sponsor & proponent)  
House Agriculture & Rural Development (Committee Record) (Chr. Hill, B., 644-6014), Rm. 116, 9 a.m.
- HR 214** **PHOSPHORUS AGREEMENT** (Sheehy, M., Fedor, T.) To encourage support for the agreement between Ontario, Michigan and Ohio regarding the reduction of phosphorus in the western basin of Lake Erie. (1st Hearing-Sponsor)
- HB 566** **NURSERY STOCK** (Ramos, D.) To prohibit the labeling and advertising of nursery stock as pollinator beneficial under specified conditions (1st Hearing-Sponsor)  
House Education (Committee Record) (Chr. Brenner, A., 466-6711), Rm. 017, 9 a.m.
- HB 498** **STUDENT EXPULSIONS** (Kunze, S.) With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds. (2nd Hearing-Proponent)

- HB 372** **EDUCATIONAL SERVICES (Phillips, D.)** To require city, exempted village, and local school districts to employ, for each 1,000 students, at least five full-time equivalent educational service personnel in specified areas. (1st Hearing-Sponsor)  
House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 121, 9 a.m.
- SB 27** **FIREFIGHTER CANCER (Patton, T.)** To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (3rd Hearing-All testimony-Possible amendments, substitute & vote)
- HB 394** **UNEMPLOYMENT COMPENSATION (Sears, B.)** To temporarily change the taxable wage base under Ohio's Unemployment Compensation Law, to remove dependency classes for unemployment compensation benefit eligibility, to temporarily freeze automatic increases for weekly unemployment compensation benefit amounts, to reduce the number of weeks for which an individual may receive unemployment compensation benefits, to abolish the Unemployment Compensation Advisory Council, and to make other changes to Ohio's Unemployment Compensation Law. (6th Hearing-All testimony-Possible substitute)  
House Financial Institutions, Housing & Urban Development (Committee Record) (Chr. Dever, J., 466-8120), Rm. 122, 9 a.m.
- HB 593** **CROWDFUNDING (Arndt, S.)** To permit intrastate equity crowdfunding under certain circumstances. (2nd Hearing-Proponent)
- HB 598** **LOAN ACT (Terhar, L.)** To create the Ohio Consumer Installment Loan Act. (2nd Hearing-Proponent-Possible substitute)
- HB 616** **BANKING LAW (Amstutz, R.)** For the purpose of enacting a new banking law for the State of Ohio. (1st Hearing-Proponent-Possible substitute)  
Senate Agriculture (Committee Record) (Chr. Hite, C., 466-8150), South Hearing Rm., 9 a.m.
- Confirmation hearing on governor's appointments of S. Craig Beam, Ohio Thoroughbred Race Fund Advisor Council; Kelly Cole, Southern Ohio Agricultural and Community Development Foundation; Cy Prettyman, Ohio Livestock Care Standards Board and Michael Frazier and Gregory Levens, Dangerous & Restricted Animals Advisory Board
- SB 151** **DOGS LAW (Beagle, B.)** To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (4th Hearing-Opponent)
- SB 224** **AGRICULTURE LAWS (Brown, E.)** To revise the application and enforcement of the law governing operation and management plans, and to require certain animal feeding facilities to annually report the amount of manure that is applied by or for the facilities. (1st Hearing-Sponsor)
- SB 271** **POLICE ANIMALS (Gentile, L.)** To authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency. (1st Hearing-Sponsor)  
House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9:30 a.m.

- HB 561** **PARK COMMISSIONERS (Boccieri, J., Clyde, K.)** To require boards of county commissioners to appoint additional park board commissioners and allow for public comment during appointment process. (1st Hearing-Sponsor)
- HB 562** **MAIL DELIVERY (Hambley, S., Ryan, S.)** To authorize local governments and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. (1st Hearing-Sponsor)
- HB 576** **PUBLIC RECORDS (Ryan, S.)** To exempt from the Public Records Act financial account numbers and identifying information in public records and to provide that taxpayer electronic mail address lists used by county treasurers to deliver tax bills are not public records. (1st Hearing-Sponsor)

Senate State & Local Government (Committee Record) (Chr. Uecker, J., 466-8082), North Hearing Rm., 9:45 a.m.

- Confirmation hearing on governor's appointment of Thomas Pascarella, Ohio Retirement Study Council

- SB 347** **PRIMARY ELECTIONS (LaRose, F.)** To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (2rd Hearing-All testimony-Possible amendments & vote)
- SB 322** **POLICE TRAINING (Hite, C.)** To require the Ohio peace officer training commission to develop and conduct a chief of police training course for newly appointed chiefs of police appointed on or after January 1, 2017, and to require newly appointed chiefs of police of villages, cities, and townships to attend the training course within six months of appointment as a chief of police. (3rd Hearing-All testimony-Possible amendments & vote)
- SB 306** **DAY DESIGNATION (Yuko, K.)** To designate July 8 as "Harrison Dillard Day." (2rd Hearing-All testimony-Possible amendments & vote)
- HB 440** **AWARENESS DAY (Anielski, M.)** To designate the Saturday before Thanksgiving as "Ohio Survivors of Suicide Loss Day." (2rd Hearing-All testimony-Possible amendments & vote)
- HB 276** **CHIROPRACTORS (Schuring, K.)** To authorize chiropractors to engage in certain activities involving nutrition-related items and therapies, nonprescription drugs, and medical goods and devices. (2nd Hearing-proponent)
- HB 423** **MILITARY RECORDS (Perales, R.)** To specify that an order for active military service or other documentation regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record. (1st Hearing-Sponsor)
- HB 167** **LEGISLATIVE SERVICE COMMISSION (Sweeney, M.)** Regarding the term of a General Assembly member as a member of the Legislative Service Commission. (2rd Hearing-All testimony-Possible amendments & vote)

House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.

- SB 331** **PET STORES (Peterson, B.)** To regulate the sale of dogs from pet stores and dog retailers and to require the Director of Agriculture to license pet stores. (1st Hearing-Sponsor)

**SB 235** **PROPERTY TAXES** (Beagle, B., Coley, B.) To exempt from property tax the increased value of property on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property. (3rd Hearing-All testimony-Possible amendments & substitute)  
House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.  
Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.  
Senate Financial Institutions (Committee Record) (Chr. Hughes, J., 466-5981), Finance Hearing Rm., 11:15 a.m.

**SB 335** **AUTOMATED TELLER MACHINES** (Patton, T.) To regulate non-bank automated teller machines. (1st Hearing-Sponsor)

**SB 355** **LOAN ACT** (Peterson, B.) To create the Ohio Consumer Installment Loan Act. (1st Hearing-Sponsor)

House Transportation & Infrastructure (Committee Record) (Chr. Boose, T., 466-9628), Rm. 018, 1 p.m. or after session

- **Agenda to be announced**

House Ways & Means (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 1:30 p.m. or after session

**HB 482** **PROPERTY TAXES** (Dever, J.) To change the calculation of the exempt value of improved property subject to a community reinvestment area exemption, to clarify the calculation of the exempt value of property subject to a brownfield remediation exemption, and to authorize the filing of a complaint with the county auditor challenging the assessed value of fully or partially exempt property. (2nd Hearing-Proponent)

**HB 592** **INVESTMENT COMPANIES** (Merrin, D.) To subject small business investment companies to the commercial activity tax rather than the financial institutions tax. (1st Hearing-Sponsor)

**HB 612** **DISASTER BUSINESS EXEMPTION** (Ryan, S.) To exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster (1st Hearing-Sponsor)

House Government Accountability & Oversight (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 114, 1:30 p.m. or after session

**SB 206** **CAMPAIGN FINANCE REPORTS** (LaRose, F.) To require certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those statements available online. (1st Hearing-Sponsor)

**HB 613** **SUNSET REVIEW LAW** (Amstutz, R.) To revise and renew the Sunset Review Law, to require that a Sunset Review Committee be convened to function during each oddnumbered General Assembly, and to declare an emergency. (1st Hearing-Sponsor-Possible substitute)

**HB 619** **STATE PROPERTY CONVEYANCES** (Rezabek, J.) To authorize the conveyance of, and the granting of perpetual easements to, state-owned real property. (1st Hearing-Sponsor-Pending referral)

**SB 273** **CORPORATE GOVERNANCE (Bacon, K.)** To enact the Corporate Governance Annual Disclosure Act. (2nd Hearing-Proponent)

**SB 329** **SUNSET REVIEW (Jordan, K., Faber, K.)** To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet. (2nd Hearing-Proponent)

**HB 591** **SPECIAL ELECTIONS (Pelanda, D.)** To eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances. (2nd Hearing-Proponent)

**HB 539** **NEW AMERICANS (Boyce, K.)** To create the office for New Americans. (1st Hearing-Sponsor)

**HB 536** **STATEHOUSE VIDEO (Fedor, T.)** To require the Ohio Government Telecommunications Service to broadcast live, with video and audio content, all General Assembly committee meetings and to name this act the Wire the Statehouse Act. (1st Hearing-Sponsor)

**HR 192** **VOTING RIGHTS ACT (Clyde, K., Reece, A.)** Commemorating the fiftieth anniversary of the Voting Rights Act of 1965. (1st Hearing-Sponsor)

**HR 206** **CONFEDERATE FLAG (Sykes, E., Reece, A.)** To urge the powers of the governments that continue to make issuances containing the confederate flag to discontinue this practice, to urge the powers of the governments that fly the confederate flag or any flag containing imagery of the confederate flag on public property to remove those flags in question, to urge the powers of governments that have official state flags that contain imagery derived from the confederate flag to commence in the process of redesigning the official state flag immediately, to urge South Carolina's General Assembly to direct removal of the confederate flag from state property and to urge Ohio retailers to remove from inventory any confederate flag merchandise. (1st Hearing-Sponsor)

**HB 179** **VOTER REGISTRATION (Stinziano, M., Sykes, E.)** To require that eligible persons in the database of the Bureau of Motor Vehicles be automatically registered to vote or have their registrations updated automatically, as applicable, unless those persons decline to be registered or to update their registrations. (1st Hearing-Sponsor)

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.  
House Commerce & Labor (Committee Record) (Chr. Young, R., 644-6074), Rm. 122, 2 p.m. or after session

**HB 601** **MICROBUSINESS (Pelanda, D.)** To create a statutory definition of "microbusiness." (2nd Hearing-All testimony-Possible amendments & vote)

**HB 574** **USED TIRES (Sprague, R., DeVitis, T.)** To prohibit the installation of unsafe used tires on certain motor vehicles. (2nd Hearing-Proponent)

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 2:30 p.m. or after session

- Confirmation hearing on governor's appointments available at <http://www.gongwer-oh.com/public/130/finconfirm.pdf>

**HB 435** **STATE FINANCING (McClain, J.)** To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public

entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities. (1st Hearing-Sponsor)

**SB 230** **ACADEMIC DISTRESS COMMISSIONS** (Schiavoni, J.) With regard to the operation of academic distress commissions and to modify the earmarked funding for the establishment of academic distress commissions. (1st Hearing-Sponsor)

**HB 384** **HIGHER EDUCATION AUDITS** (Schaffer, T., Duffey, M.) To specify that state institutions of higher education may be subject to performance audits conducted by the Auditor of State. (2nd Hearing-All testimony-Possible amendments)

**SB 317** **BANKING LAWS** (Hughes, J., Coley, B.) For the purpose of enacting a new banking law for the State of Ohio. (4th Hearing-All testimony-Possible amendments & vote) Senate Health & Human Services (Committee Record) (Chr. Jones, S., 466-9737), North Hearing Rm., 3 p.m. or after session

- Confirmation hearing on governor's appointments of Stephanie Loucka, Director of the Department of Aging; Billy Anderson, Jr., Ashok Das, Michael Ginder and Kumar Subramanian, D.D.S., State Dental Board; Raymond Mancini, John Patton, III, James Armile and John Stainbrook, Ohio Athletic Commission; Michael Aquillo, Ohio Respiratory Care Board; Michael Pratt, Hearing Aid Dealers and Fitters Licensing Board; Ronan Factora, State Medical Board; Paul Schoonover, Chemical Dependency Professionals Board; Christopher Taylor, Ohio Board of Dietetics; Fred Weaver, Kilee Yarosh, Timothy Bechtold, State Board of Pharmacy; Jason Dapore, Hollie Kozak, Chad Miller and Jennifer Wissinger, Occupational Therapy, Physical Therapy, and Athletic Trainers Board.

**HB 216** **NURSES** (Pelanda, D.) To revise the law governing advanced practice registered nurses. (2nd Hearing-Proponent-Possible amendments)

**HB 285** **PRESCRIPTION REFILLS** (Sprague, R.) To authorize pharmacists to dispense multiple refills of a prescription simultaneously under certain circumstances. (2nd Hearing-Proponent)

**HB 470** **PALLIATIVE CARE FACILITIES** (Schuring, K.) Regarding palliative care facilities. (2nd Hearing-Proponent)

**SB 42** **OUTPATIENT TREATMENT** (Beagle, B.) Regarding minors and outpatient mental health treatment. (5th Hearing-All testimony)

**SB 314** **HOSPITAL CARE** (Lehner, P.) To provide for the designation of a lay person to provide after-care to a hospital inpatient and participate in discharge planning. (4th Hearing-All testimony)

**HB 290** **TERMINAL PATIENTS** (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician. (3rd Hearing-Opponent & interested party)

**HB 505** **BIOLOGICAL PRODUCTS** (Huffman, S., Pelanda, D.) Regarding the regulation of biological products and the substitution of interchangeable biological products when dispensed by pharmacists. (3rd Hearing-Opponent & interested party-Possible amendments)

House Armed Services, Veterans Affairs & Public Safety (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

- HB 464** **NATIONAL GUARD SCHOLARSHIPS** (Terhar, L., Brinkman, T.) To specify that a National Guard scholarship recipient who fails to complete the recipient's term of enlistment in the National Guard due to enlistment, warrant, commission, or appointment in the United States armed forces is not liable for repayment of the scholarship. (3rd Hearing-Possible substitute & vote)
- HB 105** **MILITARY TRANSFERS** (Craig, H., Perales, R.) To permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits. (2nd Hearing-Proponent)
- House Judiciary (Committee Record) (Chr. Butler, J., 644-6008), Rm. 116, 3:30 p.m.
- SB 284** **EXPUNGEMENT** (Obhof, L.) To provide that a person who is found not guilty of an offense by a jury or a court or who is the defendant named in a dismissed complaint, indictment, or information may apply to the court for an order to expunge the person's official records in the case if the complaint, indictment, or information or finding of not guilty was the result of the applicant having been a victim of human trafficking and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (1st Hearing-Sponsor)
- SB 257** **REAL PROPERTY** (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (1st Hearing-Sponsor & proponent)
- HB 559** **MEDICAL CLAIMS** (Cupp, R.) To grant qualified civil immunity to certain medical providers who provide emergency medical services as a result of a disaster or mass hazard; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to provide that medical bills itemizing charges are inadmissible as evidence and a payment for medical services accepted by a defendant from an insurer is admissible as evidence of the reasonableness of the charges; to specify the manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide that any loss of a chance of recovery or survival by itself is not an injury, death, or loss for which damages may be recovered; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to require that governmental agencies that receive peer review committee records maintain their confidentiality; and to clarify the definition of "medical claim." (1st Hearing-Sponsor & proponent)
- HB 602** **DIGITAL ASSETS** (Cupp, R., Rezabek, J.) To adopt the Revised Uniform Fiduciary Access to Digital Assets Act. (1st Hearing-Sponsor & proponent)
- SB 299** **PERRY COUNTY COURTS** (Hottinger, J.) To create the Perry County Municipal Court in New Lexington on January 1, 2017, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County County Court on that date, to designate the Perry County Clerk of Courts as

the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017. (2nd Hearing-All testimony)

- HB 581** **LLC REGULATIONS** (Dever, J., Reineke, B.) To permit and regulate managers, members, and interests of series limited liability companies. (2nd Hearing-Proponent)
- SB 139** **POST-CONVICTION RELIEF** (Seitz, B., Williams, S.) To require the clerk of a common pleas court to retain a copy of the original trial file when a death penalty is imposed, to specify that there is no page limit on petitions for postconviction relief in death penalty cases or in appeals of denials of such relief, to modify the time for filing an amended postconviction relief petition in death penalty cases, to provide for depositions and subpoenas during discovery in postconviction relief proceedings in death penalty cases, and to require a judge hearing a postconviction relief proceeding in a death penalty case to state specifically in the findings of fact and conclusions of law why each claim was either denied or granted. (3rd Hearing-All testimony-Possible amendments & vote)
- HB 106** **PUBLIC INDECENCY** (Schaffer, T.) To require an offender who knowingly commits the offense of public indecency under certain circumstances involving conduct likely to be viewed by minors to register as a Tier I sex offender/child-victim offender. (3rd Hearing-All testimony-Possible amendments)
- HB 283** **DNA TESTING** (Fedor, T.) To require DNA testing for misdemeanor convictions of voyeurism, public indecency, procuring, soliciting, loitering to engage in soliciting, and prostitution. (3rd Hearing-All testimony-Possible amendments)
- House Community & Family Advancement (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 4 p.m.
- SB 30** **FAMILY STABILITY** (Tavares, C.) To create the Ohio Family Stability Commission. (3rd Hearing-All testimony)
- HB 286** **MARRIAGE** (Vitale, N.) To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial. (6th Hearing-All testimony)
- HB 458** **FOSTER CARE** (Boyce, K., Rezabek, J.) To provide foster care maintenance payments for children in the care of a kinship caregiver without requiring the caregiver to be certified to provide foster care and to require, rather than permit, the creation of the statewide program of kinship care navigators. (1st Hearing-Sponsor)
- SB 308** **CHILD SUPPORT** (Coley, B.) To amend the child support laws. (1st Hearing-Sponsor & proponent)

**HB 618** **RECORD EXPUNGEMENT** (Schuring, K., Reece, A.) To provide for the expungement of official records related to the apprehension, arrest, criminal charging, or trial of a person based on mistaken identity. (1st Hearing-Sponsor)

Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), Finance Hearing Rm., 4 p.m.

- Paolo DeMaria, Superintendent of Public Instruction, will testify on the revised English language arts and math learning standards pursuant to 3301.079 (J).

**HB 410** **TRUANCY** (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (5th Hearing-All testimony-Possible amendments & vote)

**HB 89** **MEDICAID SCHOOL PROGRAM** (DeVitis, T.) Regarding the Medicaid School Program. (3rd Hearing-All testimony-Possible vote)

**SB 126** **OPEN ENROLLMENT** (Sawyer, T.) To terminate interdistrict open enrollment on that date with the possibility of renewal following the General Assembly's examination of the study's findings. (1st Hearing-Sponsor)

### **Wednesday, November 30**

House Public Utilities (Committee Record) (Chr. Dovilla, M., 466-4895), Rm. 121, 9 a.m.

**HB 525** **911 CALLS** (Johnson, G.) To require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit or code. (1st Hearing-Sponsor)

**HB 589** **UTILITY RESELLING** (Duffey, M.) To permit the Public Utilities Commission to adopt rules governing residential utility reselling. (1st Hearing-Sponsor)

**HB 72** **PORT AUTHORITIES** (Conditt, M.) To authorize port authorities to create energy special improvement districts for the purpose of developing and implementing plans for special energy improvement projects and to alter the law governing such districts that are governed by a nonprofit corporation. (5th Hearing-Possible substitute)

**HB 554** **RENEWABLE ENERGY** (Amstutz, R.) To revise the requirements for renewable energy, energy efficiency savings, and peak demand reduction and to revise provisions governing which customers can opt out of related programs. (3rd Hearing-All testimony-Possible amendments & vote)

Senate Health & Human Services (Committee Record) (Chr. Jones, S., 466-9737), North Hearing Rm., 9 a.m.

- Agenda to be announced  
Senate Financial Institutions (Committee Record) (Chr. Hughes, J., 466-5981), Finance Hearing Rm., 10 a.m.

**SB 355** **LOAN ACT** (Peterson, B.) To create the Ohio Consumer Installment Loan Act. (2nd Hearing-All testimony-Possible amendments)

Senate Transportation, Commerce & Labor (Committee Record) (Chr. LaRose, F., 466-4823), North Hearing Rm., 10:15 a.m.

- Ferzan Ahmed, State Board of Registration for Professional Engineers and Surveyors; Andrew Bainbridge, JD, Ski Tramway Board; Kristine Burdick and Rowland Giller, III, Ohio Real Estate Commission; James Gasior and Michael Peterson, Ohio Turnpike and Infrastructure Commission; Stephanie Green, Janet Orosz and Richard Zaleski, Ohio Fair Plan Underwriting Association Board of Governors; W. Craig Zimpher, State Employment Relations Board; Bill Dingus, Chris Kershner and Christopher Powell, Transportation Review

Advisory Council; J. Richard Lumpe, State Employment Relations Board; Ross McGregor, State Personnel Board of Review; Scott Murray, Board of Motor Vehicle Repair; Thomas Needles, Motor Vehicle Dealers Board; Gary Siciliano, Motor Vehicle Salvage Dealers Licensing Board and George Snyder, State Board of Emergency Medical, Fire, and Transportation Services

- HB 341** **TRANSPORTATION LAWS** (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (2nd Hearing-Opponent & interested party)
- HB 532** **REAL ESTATE SALES** (Smith, R.) Relating to real estate brokers and salespersons. (2nd Hearing-All testimony-Possible amendments & vote)
- SB 345** **LICENSE PLATE** (Jones, S.) To create the Conquer Childhood Cancer license plate. (1st Hearing-Sponsor)
- SB 359** **LICENSE PLATE** (Uecker, J.) To create the Down Syndrome Awareness license plate. (1st Hearing-Sponsor)
- SB 361** **LICENSE PLATE** (Thomas, C.) To create the "Triple Negative Breast Cancer Awareness" license plate. (1st Hearing-Sponsor)
- SB 363** **LICENSE PLATE** (Oelslager, S.) To create the "Buckeye Corvette" license plate. (1st Hearing-Sponsor)
- HB 436** **DUI SENTENCES** (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (1st Hearing-Sponsor)
- HB 455** **BOARDING SCHOOL ZONE** (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (2nd Hearing-All testimony)
- Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.
- Senate Criminal Justice (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 11:15 a.m.
- Confirmation hearing on governor's appointments of Larry Mincks, Sr. and Christopher Viland, Ohio Organized Crime Investigations Commission

- HB 172** **CRIMINAL RECORDS** (Barnes, J.) To enact the Fair and Accurate Reporting of Criminal Records Law, to require certain business entities that publish criminal record information to ensure that the information is complete and accurate, to provide a procedure by which a subject of published criminal record information may have incomplete or inaccurate information corrected or removed from the publication, and to provide remedies for the failure of a business entity to remove or correct incomplete or inaccurate information. (1st Hearing-Sponsor)
- SB 237** **DRUG VOLUME** (LaRose, F.) To provide that five milligrams or more of fentanyl or an amount equal to or exceeding one gram of a compound, mixture, preparation, or

substance that contains any amount of fentanyl and that is not in a final dosage form manufactured by an authorized manufacturer constitutes a bulk amount for purposes of the laws governing drug offenses, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances. (5th Hearing-All testimony-Possible amendments & vote)

**SB 162** **DEATH SENTENCES** (Seitz, B., Williams, S.) To provide that a person convicted of aggravated murder who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense. (7th Hearing-All testimony-Possible amendments & vote)

**SB 195** **SEXUAL CONDUCT** (Hughes, J., Hottinger, J.) To prohibit a person from engaging in sexual conduct with an animal and related acts, to provide for the seizure and impoundment of an animal that is the subject of a violation, and to authorize a sentencing court to require an offender to undergo psychological evaluation or counseling. (5th Hearing-All testimony-Possible vote)

**SB 265** **CASINO OPERATORS** (Seitz, B.) To specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility. (5th Hearing-All testimony-Possible amendments & vote)

**HB 405** **IMPORTUNING** (Schaffer, T., Smith, K.) To amend the penalties for the offense of importuning. (3rd Hearing-All testimony-Possible amendments & vote)

**HB 185** **ARSON** (Koehler, K.) To eliminate lack of the property owner's consent as an element of arson when the property is abandoned real property and to make the consent of the owner of abandoned real property an affirmative defense. (4th Hearing-All testimony-Possible amendments & vote)

**HB 521** **PAROLE ELIGIBILITY** (Manning, N.) To provide special parole eligibility dates for persons with an indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age, to require the Parole Board to consider specified mitigating factors in those cases, and to require notice to the Ohio Public Defender and prosecuting attorney prior to the parole consideration hearing. (2nd Hearing-All testimony-Possible amendments & vote)

**HB 439** **VOYEURISM** (Anielski, M.) To include an impaired person as a victim of voyeurism and to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (2nd Hearing-Proponent)

**SB 316** **SEXUAL IMPOSITION** (Hughes, J.) To increase the penalty for sexual imposition when the offender previously has been convicted of or pleaded guilty to three or more violations of sexual imposition or other specified sex offenses. (2nd Hearing-Proponent)

~~Canceled: House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.~~

- If needed

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 121, 2:30 p.m.

- SB 227** **ATTORNEY GENERAL (Bacon, K.)** To make various changes to the laws governing the duties and functions of the Attorney General. (2nd Hearing-Opponent-Possible amendment & vote)
- HB 577** **LAME DUCK SESSIONS (Boose, T.)** To prohibit the General Assembly from holding sessions after the general election in an even-numbered year. (1st Hearing-Sponsor)
- HJR 7** **BANKING FUNCTIONS (Sheehy, M., Ramos, D.)** To urge the United States Congress and the President of the United States to enact legislation that would reinstate the separation of commercial and investment banking function that was in effect under the Glass-Steagall Act. (1st Hearing-Sponsor)
- HR 383** **TRAIN CREWS (Sheehy, M., Lepore-Hagan, M.)** To support the Federal Railroad Administration's proposed rule requiring trains operated in the United State to have at least a two-person crew. (1st Hearing-Sponsor)
- HB 331** **SAFETY BELTS (Phillips, D.)** To require all passengers in automobiles to wear safety belts. (1st Hearing-Sponsor)
- HR 344** **CORPORATE BOARDS (Johnson, G., Boggs, K.)** To urge equitable and diverse gender representation on the corporate boards of directors of companies based in Ohio. (1st Hearing-Sponsor)
- HB 494** **FIREARMS (Antonio, N., Boyd, J.)** To require a court that issues a protection order to determine if the respondent is prohibited from carrying or possessing a firearm, to require a court to determine whether an offender who has been convicted of specified offenses is prohibited from carrying or possessing a firearm, and to require a respondent or offender who the court determines is prohibited from carrying or possessing a firearm to transfer all firearms in the person's possession to a law enforcement agency or a federally licensed firearms dealer. (1st Hearing-Sponsor)
- HB 324** **DAY DESIGNATION (Ramos, D.)** To declare November 23rd as Fleet Admiral Ernest Joseph King Day. (1st Hearing-Sponsor)
- HB 381** **NUTRITION PROGRAMS (Ramos, D., Howse, S.)** To require the Director of Job and Family Services to request a federal waiver of time limits for certain Supplemental Nutrition Assistance Program recipients. (1st Hearing-Sponsor)
- HB 332** **REPLICA VEHICLE TITLES (Patterson, J.)** To provide that when a certificate of title is issued for a motor vehicle, the owner may request that the certificate indicate that the motor vehicle is a replica vehicle. (1st Hearing-Sponsor)
- HB 330** **EQUAL PAY CERTIFICATE (Howse, S., Clyde, K.)** To require a contractor or person submitting a bid or other proposal for a state contract or a business entity applying for a grant or other economic incentive from a state agency to obtain an equal pay certificate, to require state agencies and political subdivisions to establish a job evaluation system to identify and eliminate sex-based wage disparities among classes of employees, and to prohibit an employer from retaliating against an employee who discusses the employee's salary or wage rate with another employee. (1st Hearing-Sponsor)

- HB 337** DAY DESIGNATION (Clyde, K.) To designate the fourth Tuesday of September as Ohio Voter Registration Day. (1st Hearing-Sponsor)
- HR 56** EQUAL PAY DAY (Fedor, T.) To recognize April 14, 2015, as Equal Pay Day to encourage public awareness of the gender wage gap. (1st Hearing-Sponsor)
- HB 329** DAY DESIGNATION (Howse, S., Boyd, J.) To designate February 23 as Louis Stokes Day. (1st Hearing-Sponsor)
- HB 519** LSC DUTIES (Howse, S.) To require the Director of the Legislative Service Commission to prepare a human impact statement concerning a bill or resolution that proposes to amend the law governing criminal justice. (1st Hearing-Sponsor)
- HCR 23** DAY DESIGNATION (Howse, S.) To designate June 15, 2015, as Karamu House Day. (1st Hearing-Sponsor)
- Senate Agriculture (Committee Record) (Chr. Hite, C., 466-8150), South Hearing Rm., 4:30 p.m.
- SB 271** POLICE ANIMALS (Gentile, L.) To authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency. (2nd Hearing-All testimony-Possible vote)

## Thursday, December 1

Senate Financial Institutions (Committee Record) (Chr. Hughes, J., 466-5981), Finance Hearing Rm., 9 a.m.

- SB 355** LOAN ACT (Peterson, B.) To create the Ohio Consumer Installment Loan Act. (3rd Hearing-All testimony-Possible amendments & vote)
- Senate Transportation, Commerce & Labor (Committee Record) (Chr. LaRose, F., 466-4823), North Hearing Rm., 9:30 a.m.

- HB 341** TRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (3rd Hearing-Proponent & interested party-Possible amendments & vote)
- HB 455** BOARDING SCHOOL ZONE (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (3rd Hearing-All testimony-Possible amendments & vote)
- SB 202** FRONT LICENSE PLATE (Thomas, C.) To specify that failure to display a license plate on the front of a motor vehicle that is required to display a license plate on the front and rear of the vehicle is a secondary traffic offense, to establish a maximum fine of \$25 for such an offense, to name this act the "DuBose Was A Beacon Act," and to amend the version of section 4503.21 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date. (1st Hearing-Sponsor)

- HB 436** **DUI SENTENCES** (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (2nd Hearing-All testimony-Possible amendments & vote)
- HB 236** **PROFESSIONAL ENGINEERS** (Landis, A., Blessing, L.) To require professional engineers to complete continuing professional development hours in professional ethics or rules relevant to engineering or surveying practices. (4th Hearing-All testimony-Possible amendments & vote)
- SB 249** **ROOFING CONTRACTORS** (Patton, T.) To require commercial roofing contractors to have a license. (3rd Hearing-All testimony)
- House Finance** (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 10 a.m.
- SB 235** **PROPERTY TAXES** (Beagle, B., Coley, B.) To exempt from property tax the increased value of property on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property. (4th Hearing-All testimony-Possible amendments, substitute & vote)
- SB 331** **PET STORES** (Peterson, B.) To regulate the sale of dogs from pet stores and dog retailers and to require the Director of Agriculture to license pet stores. (2nd Hearing-All testimony-Possible substitute)
- SB 319** **DRUG REGULATIONS** (Eklund, J.) To revise certain laws regarding the regulation of drugs, the practice of pharmacy, and the provision of addiction services. (2nd Hearing-Possible substitute)
- SB 332** **INFANT MORTALITY** (Jones, S., Tavares, C.) To provide for the implementation of recommendations made by the Commission on Infant Mortality and to authorize pharmacists to administer by injection certain prescribed drugs. (2nd Hearing-Possible substitute)

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 11 a.m.

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

## **Tuesday, December 6**

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.


Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

## **Wednesday, December 7**

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

**NOTE:** Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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**Volume #85, Report #225 -- Tuesday, November 22, 2016**

**Senate Hears Mixed Review Of Energy Freeze Bill; Early December Committee Vote Eyed**

The state's top consumer utility advocate told a Senate panel Tuesday the renewable energy and energy efficiency benchmarks in a Senate bill are "reasonable."

But Ohio Consumers' Counsel Bruce Weston said in testimony before the Senate Energy & Natural Resources Committee that he still has plenty of concerns with the proposal (SB 320).

Mr. Weston's was one of a trio of witnesses on both sides of the issue to appear before the committee during the bill's third hearing.

Questioned by Chairman Sen. Troy Balderson (R-Zanesville), Mr. Weston said that a 12.5% renewable energy benchmark for 2029 and beyond was reasonable in his view. As for the 17% benchmark for energy efficiency - which was reduced from the bill's earlier 22% - Mr. Weston said that number is on the lower end of "something I could accept as reasonable."

Sen. Balderson said in an interview he has no intention of holding a vote on the issue next week considering the holiday and the short notice interested parties received about Tuesday's hearing.

"We'll have some more hearings," Sen. Balderson said. "We want to give everyone adequate time. We'd like to have at least something by the first of December that we can vote on."

Several amendments have been drafted behind the scenes, although it's unclear if and when they'll be introduced for consideration. Sponsor Sen. Bill Seitz said he is unsure whether he will introduce any of his prepared amendments next week.

"I think there are a couple things we could tweak along the way, but, yes, I do feel good about it," Sen. Balderson said of the status of the bill. "And I know one amendment might be the mercantile opt out. It's in there right now (to start) in 2019, but 2017 was talked about last week in committee."

Outlining his concerns with the bill, Mr. Weston urged the committee to: preclude utilities from charging consumers for shared savings that are not a direct result of utility programs or that are unrelated to electricity sales; add language to protect consumers from bearing any cost associated with the mercantile opt-out program, and; prohibit consideration of renewables and energy efficiency in cases other than those intended for implementing the energy standards.

Responding to a question from Sen. Seitz, Mr. Weston floated the idea of a 3% cost cap for consumers. He also argued for requiring utilities to use competitive bidding when retaining providers or vendors when implementing their energy efficiency programs.

He further advised against any attempts to add language permitting electricity rate hikes if a utility's financial integrity is at risk.

"If such a change in the law is to be considered by the legislature, it should be done in a standalone bill with a full public hearing process and not rushed in this limited post-election session," Mr. Weston said.

Brakey Energy President Matt Brakey was the only proponent to testify during this week's hearing. He said the company fully supports the mercantile customer opt-out and would even urge the provision to be enacted sooner.

The bill as written would expand opt-out eligibility to businesses consuming more than 700,000 kilowatt hours per year - a move opponents say is premature considering the existing opt-out doesn't begin until 2017. (See Gongwer Ohio Report, November 17, 2016)

Even if the opt-out timeline isn't advanced, Mr. Brakey said, lawmakers should act fast in reaching a resolution before the ongoing freeze on energy standards expires at year's end.

"Because of the cycle time of the electric distribution utilities, delaying commonsense reforms will require the utilities to launch another expensive, multi-year installment toward compliance that will be passed onto Ohio's residential, commercial, industrial, and institutional customers," he said. "This is an outcome Ohioans cannot afford."

Environmental Law and Policy Center Senior Attorney Rob Kelter said the group opposes the bill's removal of compliance mechanisms for the first three years.

Opponents argue such language waters down the state's approach to renewables while proponents say it buys the state more time pending the legal resolution of the Clean Power Plan.

"The utilities recover both their costs and lost revenues related to energy efficiency so they are held harmless. On top of that they share the savings they generate for customers through shared savings mechanisms that all the utilities have achieved," Mr. Kelter said. "Some utilities have earned bonuses as high as \$20 million per year from running the programs. Making the standards voluntary sends the wrong signal regarding the importance of the standards and the need to meet the targets."

Mr. Kelter said the group also opposes both the lowering of the energy efficiency benchmark to 17% and the potential expansion of the mercantile opt-out program.

"Somehow, listening to the testimony and comments from proponents, one would think

Ohio is about to become California," Mr. Kelter said. "We are only looking for a very reasonable and doable level of efficiency and renewables that will benefit all Ohioans through both cleaner air and lower bills."

Alan Rosenfield submitted written opponent testimony on behalf of the League of Women Voters of Ohio, saying that the bill "continues bad policy by refusing to require a reasonable percentage of energy come from renewable sources."

"We reject the idea that SB320 lifts the two-year freeze imposed on renewable energy requirements," he wrote. "We urge that the current language of O.R.C. 4928-64 be retained and oppose any changes in that section that are included in SB320."

### **Senate Panel Takes Up Ignition Interlock Device Measure**

First-time OVI offenders could have the opportunity to be granted unlimited driving privileges, with a catch, under a House bill reviewed in the Senate Tuesday.

The legislation (HB 388) sponsored by Rep. Gary Scherer (R-Circleville) would allow first-time offenders to petition the court for unlimited driving privileges with an Ignition Interlock Device during the offender's driver's license suspension.

"Our current laws contain an ineffective system of limited driving privileges. The offender first has a period of 15 days where he or she cannot drive at all. Then he or she can obtain limited driving privileges from the judge and may be granted access to any occupational, educational, vocational, or medical destinations as well as commercial licensing exams and court mandated appearances during certain times of the day," he told members of the Senate Insurance Committee Tuesday.

"Second-time offenders are required to use a certified Ignition Interlock Device (IID) if restricted driving has been permitted. Second time offenders are also required to employ yellow license plates on their vehicles. The second offense provisions all too often give rise to plea bargains to reduce the overall punishment."

The legislation, dubbed "Annie's Law," also lengthens the first-time minimum suspension from six months to 12 months. However, that suspension can be cut in half if a court grants a request to use an IID.

In addition, the measure would also require a first-time offender to obtain a restricted license indicating the use of an IID is required.

"It is important to note that this language is permissive: the offender is not required to request the use of the device, nor is the judge required to allow the use of the device. The IID petition can only be granted at the time of conviction, not at the time of the arraignment. There is no change to current law for the time from arrest to conviction," Rep. Scherer said.

Yet another provision of the bill would extend the look-back period for OVI offenses from six to 10 years.

Sen. Edna Brown (D-Toledo) questioned the rationale behind that provision.

Rep. Scherer said it was requested by municipal court judges who believe the six-year window is not long enough.

In researching the legislation, Rep. Scherer told the panel that he voluntarily installed an IID in his own vehicle and sought to allay some of the misconceptions about the device, including the belief that an impaired driver could have a child blow into it to allow a vehicle to be started.

"It's not that simple to use," he said. "It does require a velocity of air going through the device, and a sustained velocity."

Chairman Sen. Jay Hottinger (R-Newark) asked if the devices require a driver to do anything while operating a vehicle.

Rep. Scherer said that some do require a "rolling retest," which he was initially opposed to until he learned that 28 states with similar laws also mandate continued testing after the initial one to allow the vehicle to start.

"It is not a significant burden," he said. "You can always pull over to the side of the road to do it. I found that once I got used to it, I didn't need to pull over to do it."

The bill is named after Annie Rooney, who was killed by a drunken driver in 2013.

"The woman who hit Annie that fateful day had at least three misdemeanor charges of operating a vehicle while impaired filed against her. Since her death, Annie's family has worked with Mothers Against Drunk Driving and others in their cause to reduce the number of casualties to this horrible tragedy that occurs far too often," Rep. Scherer said.

The bill has been in the works for three years and currently has no known opposition, Rep. Scherer told the panel.

The measure cleared the House in an 84-5 vote in May. (See Gongwer Ohio Report, May 18, 2016)

### **Proponents Urge Senate Support For Ohio EPA Updates**

More than a dozen proponents testified or submitted written testimony to the Senate Energy & Natural Resources Committee Tuesday on the governor's second OEPA-themed mid-biennium review bill.

During the bill's (SB 333) second hearing before the committee, lawmakers asked no questions as witnesses touted what they perceive as the bill's merits.

By and large, the group said the bill would install much-needed oversight over construction and demolition debris processing plants, refocus the mission of the Lake Erie Commission, and permit the Ohio Environmental Protection Agency's director to waive, transfer or revoke a 401 water quality certification. (See Gongwer Ohio Report, May 18, 2016)

Ohio Environmental Council Deputy Director Jack Shaner thanked the OEPA for participating in stakeholder meetings to gather feedback, saying the group is "confident that constructive compromise amendments will emerge."

That's because the group, which supports the bill, still has two areas of concern, Mr. Shaner said.

One provision worth revisiting, he said, is language that makes substantive changes to the makeup, authority and duties of the Lake Erie Commission. The bill's intent is to refocus the commission on helping the state meet its obligations under the Great Lakes Water Quality Agreement.

"It remains unclear how and to what extent the commission will 'ensure the...implementation of federal, state and local policies, programs and issues,'" Mr. Shaner said, recommending instead the language be changed so the commission can ensure coordination of "the funding, implementation, and monitoring" of those areas.

The group also requested a change in language enabling the OEPA director to grant 401 waivers, which proponents say will speed up projects already approved by the U.S. Army Corps of Engineers.

OEC argues the waiver should be considered a final appealable order and should not be issued within 90 days of the agency's receipt of a complete application to allow actual agency review. Further, the group said the director should be required to include written justification for granting the waiver.

Cuyahoga County Solid Waste District Executive Director Diane Bickett testified the bill would address "serious problems" stemming from unregulated C&DD processing facilities in the county. She said such sites accumulate waste, becoming eyesores and ultimately shifting the burden of cleanup onto taxpayers.

"Most of the debris being accepted at this and other sham recycling facilities is debris resulting from the demolition of vacant homes," she said. "Demolition contractors cut costs by taking the debris to these sham recycling sites because they undercut the disposal fees that legitimate recyclers and landfills must charge in order to operate properly."

Ohio Environmental Health Association President Chad Brown said the group has spent a decade trying to address issues within the C&DD industry, but has made little progress without legislative action.

"There have been cases in all regions of the state where materials have been stockpiled without being processed properly, which has resulted in public nuisance situations," Mr. Brown said. "SB333 aims to address these nuisance conditions and provide the proper authority to OEPA and local health departments to address these issues."

Other witnesses praised different facets of the bill. Ohio Chamber of Commerce Director of Energy and Environmental Policy Zachary Frymier said the bill would improve business efficiency and surface water quality by strengthening the Certified Water Quality Professional Program.

Agreeing the bill would allow the state to address "bad actors" in the C&DD industry, he also praised the 401 waiver provision.

Ohio Rural Water Association Executive Director Kevin Strang singled out the bill's requirement that private water systems maintain an asset management plan. He said his association regularly assists systems with few resources that have overlooked or delayed maintenance and inventory planning.

"We have most recently provided extensive services to the villages of Botkins in Shelby County, Gratis in Preble County, and Spring Valley in Green County," he said. "In these three systems alone we project potential long term savings in excess of \$500,000 by reducing the need for premature repairs and replacement of system equipment."

Others testifying in support of the measure included Geoff Guss of Coschoton's McWane Ductile, professional engineer Alan Olsen, Great Lakes RCAP Director Debbie Martin, Hecla Water Association Inc. General Manager Tony Howard, and Materials Management Advisory Council Chairman Michael Dineen.

Submitting written proponent testimony were Port of Cleveland Vice President of External Affairs Jade Davis, Cuyahoga County Health Commissioner Terry Allan, Aqua Ohio Inc. and Aqua Ohio Wastewater Inc. President Ed Kolodziej, CSX Resident Vice President Rusty Orben, and a pair of Ohio residents.

### **Committee Chair Raises Concerns About Insurance Bill**

The leader of a Senate committee on Tuesday questioned the efficacy of a measure designed to prevent certain uninsured drivers from collecting non-compensatory damages as a result of a traffic accident.

Sen. Jay Hottinger (R-Newark), chairman of the Senate Insurance Committee, said a recent study found that the measure (HB 279) would decrease the rate of uninsured drivers on Ohio's roadways by just 1.6%.

"Candidly, 1.6% is probably certainly inside the margin of error," he said.

Sponsoring Rep. Michael Henne (R-Clayton) said the legislation is about fairness. He likened the circumstances it addresses to a group that buys lottery tickets and hits a jackpot, then someone who did not contribute to the purchase asking for a share of the winnings.

"If everybody participates then we are protecting everybody," he said.

Sen. Hottinger also raised concerns about a letter from the Ohio Judicial Conference sent to Rep. Jeff Rezabek (R-Clayton), a co-sponsor of the bill, that suggested the measure could violate both the Equal Protection and Due Process clauses of the Ohio Constitution.

But Rep. Henne said just one state's high court found a similar measure to be unconstitutional.

Under the bill, those who have a previous conviction of driving without insurance in the past seven years would be barred from seeking non-compensatory damages in the event of a traffic accident.

"They can still collect damages for their damaged property, medical bills, and loss of wages," Rep. Henne said.

Uninsured motorists would still be able to sue for non-economic damages in what Rep. Henne described as egregious situations, including crashes involving a four- or six-point offense, texting while driving and wrongful death. Drivers under the age of 18 will also be exempted from the law.

An estimated 15% of Ohio drivers are uninsured, above the national average of 13%, according to Rep. Henne.

The number of crashes involving uninsured drivers increased from 50,151 in 2011 to 95,000 in 2015, he said.

"Drivers who repeatedly choose not to participate in a system that is designed to protect all drivers, by failing to purchase the required minimum limits of liability protection, will no longer receive the full benefits of this system," he said. "If they are injured by another driver, HB279 affords the uninsured driver more than the amount of protection they offer their victims."

Sen. Hottinger was not alone in questioning the measure. Sen. Edna Brown (D-Toledo) said she supports the goal behind the bill, but does not believe it will accomplish "a great deal."

"I would like to see a bill where we come forth with some method by which we use some other stick," she said.

Adding that there are many Ohioans who cannot afford liability insurance and lack access to public transportation, the Democrat said, "We need something else. We need to look at the possibility that there may be extenuating circumstances."

Rep. Henne replied by saying that if someone does not have the financial means to obtain liability insurance, they don't have the financial means to drive a vehicle.

"Should we allow people to run through red lights if they are late for work?" he asked.

The legislation passed the House in May on a largely party-line vote of 62-35, with Reps. Jonathan Dever (R-Cincinnati) and Louis Terhar (R-Cincinnati) voting with the Democrats on opposition. (See Gongwer Ohio Report, May 25, 2016)

### **Medical Board Closes Investigation Into Dayton Abortion Clinic**

Anti-abortion groups on Tuesday called for further government action against a Dayton-area clinic following the State Medical Board of Ohio's closure of a case involving the facility.

Ohio Right to Life and Dayton Right to Life urged the board to either disclose the investigative record or reopen the probe into Women's Med Center in Kettering regarding a June incident in which a patient received an abortion despite being unable to consent due to a drug overdose.

Dayton Right to Life filed complaints with the board earlier this year after an incident report from the Ohio Department of Health. The patient had taken a number of drugs the day of the scheduled abortion and was unable to walk on her own or keep her eyes open, according to the report. (See Gongwer Ohio Report, August 4, 2016)

Paul Coudron, executive director of Dayton Right to Life, said he received a notice from the Medical Board that the cases against the doctors at the facility had been closed with no action taken.

"The women of Dayton deserve to know why no action, not even a reprimand, has been taken by this institution," he said at a Columbus news conference.

Mr. Coudron and Devin Scribner, executive director of Ohio Right to Life, said they want the board either to release the record of their investigation or to reopen the case.

"Today we're here to call for action from the State Medical Board," Mr. Scribner said. "Case closed is not good enough for us."

Katherine Franklin, spokeswoman for Ohio Right to Life, said the issue is one of informed consent and should be of concern for Ohioans regardless of their attitudes toward abortion.

"This is much more a question of ethics in medicine more than it is politics," she said. "Pro-choice and pro-life advocates should be demanding action on this case, because it gets to the heart of a woman's right to say no and control her own bodily autonomy."

Michael Gonidakis, the president of Ohio Right to Life, serves as president of the State Medical Board but said he would recuse himself in the case. The investigation was closed by board staff and never required a hearing before the board.

Tessie Pollock, a spokeswoman for the board, said the details of complaints and investigations are confidential.

"When we receive complaints about informed consent, we investigate fully, as we do with all complaints against licensees," she said in an email. "Informed consent is an essential part of a physician's standard of care; failure to obtain informed consent is a failure to meet the minimal standard of care required of Ohio licensed physicians."

Investigative staff at the board have access to medical records, interviews with providers, patients, complainants and experts, and can subpoena documents, she said.

Kellie Copeland, executive director of NARAL Pro-Choice Ohio, said the case has been reviewed and closed.

"When this case opened, the Ohio Department of Health investigated and asked the provider to rewrite their policy, which they did," she said in a statement. "Both the health department and the State Medical Board have looked into this case, and neither have decided additional action is necessary. Case closed."

"Women in Ohio need access to safe and legal abortion care from providers like Women's Med Center," she added. "They don't need political interference from Ohio Right to Life."

### **Buckeye Institute Touts Charity Care; OSMA Launches Opioid Campaign; Innovation Ohio Eyes Food Insecurity**

The state could encourage more affordable health care by incentivizing doctors to perform charity care, according to a policy brief by the Buckeye Institute.

Bureaucratic hurdles in Medicaid create a situation in which doctors often refuse new patients, and limitations on voluntary charity care would help doctors and nurses reach more people, wrote Greg Lawson, Statehouse liaison for the Buckeye Institute.

The policy brief encouraged lawmakers to allow health care professionals to receive continuing education credits in exchange for providing charity care to underserved Ohioans. Other states, such as Florida, allow medical professionals to earn credit for up to a certain number of hours or a certain percentage of credit per renewal period. Bills have been introduced (HB 488 and SB 292) to deal with these issues.

"Healthcare providers must maintain a requisite number of CE credits to practice in Ohio, and allowing some of those credits to be earned through charity care will increase the supply of quality treatment available to the poor," Mr. Lawson wrote.

Other possible changes that would improve access to charity care include broadening immunity provisions that protect charity care providers from malpractice lawsuits, the brief said, and relaxing regulatory requirements on licensed nurses. A bill (HB 216) to increase the autonomy of advanced practice registered nurses has cleared the House and is currently before a Senate committee.

"These are examples of the kind of reforms that could be pursued as policymakers devise ways to extend access to more affordable healthcare to our neediest patients and communities," Mr. Lawson wrote.

**OSMA Opioid Campaign:** The Ohio State Medical Association has launched a campaign aimed at fighting the problem of misuse and abuse of opioid painkillers.

The campaign, called BeSmart, includes posters and prescription pads for doctors and prescribers to use that raise awareness of information about the potentially addictive and dangerous drugs.

The materials include links and numbers for drug-related resources and advice for people who are prescribed opioids, people who are prescribed non-opioid treatments, and for talking to children about drug abuse.

**Food Insecurity Report:** An investment of \$16 million in the Ohio State Extension nutrition education programs could lift 24,000 Ohioans out of food insecurity, according to a report from the Innovation Ohio Education Fund.

The report looked at a number of potential policy solutions for dealing with the state's high rate of food insecurity, including improving the nutrition education programs, expanding the number of counties with SNAP eligibility waivers, reforming the state earned income tax credit and investing in job creation programs.

It found the education funding to be highly effective, while grading it a medium for efficiency and political feasibility.

"Based on the above analysis, I recommend that the state of Ohio expand its nutrition education program and expand the number of counties with SNAP eligibility waivers," author Rob Moore wrote. "ETC reforms and job programs, while potentially valuable for other reasons, are unlikely to significantly decrease food insecurity in the state without large, expensive investments."

"A state-funded SNAP-Ed program funded at \$16 million (a modest 0.6% increase in higher education spending for Ohio and one tenth the size of an EITC expansion) would lead to a projected reduction in food insecurity that would lift 24,000 Ohioans out of food insecurity," he added.

## **Farmers Union Prices Thanksgiving Dinner; AG Warns On Holiday Shopping Scams; DSW Sales Up**

Farmers will see less than 20% of consumer dollars spent on popular holiday menu items this year, according to an annual report.

The Thanksgiving edition of the National Farmers Union Farmer's Share publication found that farmers receive 19.4 cents of every food dollar spent on 15 common holiday foods. Most of the cost of traditional fare comes from marketing, processing, wholesaling, distribution and retailing.

Throughout the year, research has found farmers take in a little more than 17 cents for every food dollar consumers spend, NFU said.

"It's important to understand the difference between the price consumers pay for food at the grocery store or restaurant and the commodity prices farmers are paid for their products, NFU President Roger Johnson said in a statement.

"Just recently, food costs started to drop, but farm and ranch families have been plagued by low commodity prices for nearly three years," he said. "Comparatively, the costs associated with the rest of the supply chain have a more pronounced effect on consumers' food prices."

Turkey growers receive about 89 cents per pound retailing at \$1.59, while wheat farmers averaged four cents on a dozen dinner rolls that retail for \$3.29 and dairy producers received \$1.44 for the average \$4.49 gallon of fat free milk, the report shows.

**Holiday Shopping:** The Better Business Bureau and Attorney General Mike DeWine are working to inform consumers about how to keep themselves and their wallets safe as the holiday shopping season officially kicks off this week.

The AG's office released a list of tips for the estimated 137.4 million shoppers expected to take to stores over the Thanksgiving holiday weekend.

It includes recommendations to make plans before getting to stores, diligently reading fine print in ads and on "free" offers, and monitor bank accounts for any fraudulent charges.

"We encourage consumers to take some simple steps to protect themselves," Attorney General DeWine said. "Whether they're shopping online or in stores, we encourage people to take their time, understand the details, and ask for help if they need it. Awareness can go a long way in preventing problems."

BBB, meanwhile, has launched a new #AdTruth campaign to highlight common schemes companies use to lure in business and inform shoppers about how to truly find the best deals.

As more purchasing moves to the internet, BBB is also providing information about how to determine if a website or advertising emails are credible.

**DSW:** Third-quarter sales increased 4.7% to \$697 million compared to the same period last year, when sales decreased 2%, the company reported.

The Columbus-based footwear and accessories retailer also reported net income of \$39 million, or \$0.47 per diluted share. The total includes pre-tax charges from the acquisition of Ebuys, which is another footwear retailer.

"This quarter reflects the first step in our return to year-over-year earnings growth," CEO Roger Rawlins said "After four consecutive declines, we reported a 16% increase in Adjusted Earnings Per Share this quarter."

"Tighter inventory management drove improvements in gross margin which, combined with effective expense management, resulted in an increase in net income," he continued. "We've reduced clearance markdowns and we are positioned to generate more profitable sales in the holiday season."

#### **Governor's Appointment**

**Northeast Ohio Medical University Board of Trustees:** E. Douglas Beach of Northfield (Summit Co.) for a term beginning Nov. 22 and ending Sept. 21, 2024.

#### **Attorney General's Opinion**

No. 2016-037. Requested by Athens County Prosecuting Attorney Keller J. Blackburn.  
SYLLABUS:

1. A secret service officer appointed pursuant to R.C. 309.07 may serve as a member of a board of township trustees, provided that in his capacity as a township trustee he refrains from participating in any discussions, deliberations, negotiations, or votes under R.C. 309.09(B) to retain legal counsel other than the prosecuting attorney to advise or represent the township, and in his capacity as a secret service officer he shall not be permitted or required to conduct any criminal investigatory activities or functions in connection with criminal charges that may be brought by the prosecuting attorney or other prosecuting authority against officers or employees of the township.
2. A legal secretary appointed pursuant to R.C. 309.06 may serve as a member of a board of township trustees, provided that in her capacity as a township trustee she refrains from participating in any discussions, deliberations, negotiations, or votes under R.C. 309.09(B) to retain legal counsel other than the prosecuting attorney to advise or represent the township.

#### **Supplemental Agency Calendar**

**Tuesday, November 29**

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Power Siting Board, Rm. 11B, 180 E. Broad St., Columbus, 3:30 p.m.

**Wednesday, November 30**

Aerospace & Aviation Technology Committee, Rm. 122, Statehouse, Columbus, 9:30 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

### **Supplemental Event Planner**

**Monday, November 28**

Auditor of State Dave Yost media availability on open enrollment, Auditor of State Ceremonial Office, Statehouse, Columbus, 2 p.m.

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

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## Daily Activity Planner for Wednesday, November 23

### Legislative Committees

No legislative committees scheduled.

### Agency Calendar

No agency meetings scheduled.

### Event Planner

No events scheduled.

17 S. High St., Suite 630  
Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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**From:** Willamowski, Sheila  
**Sent:** Monday, December 19, 2016 10:01 AM  
**Subject:** Reminder: Public Records Request

Good Afternoon:

I know it is the week before Christmas, but you are receiving this email because I have not yet received your response with regard to the Public Records Request below dated 10.7.2016.

Please make every effort to complete this task before you leave for the Holidays.

Please let me know if you have any questions and I would be pleased to assist. My cell phone number is 419.773.9667.

Thank you in advance!

Sincerely,

**Sheila Louise Willamowski**  
Deputy Legal Counsel  
House Republican Caucus  
Ohio House of Representatives  
[Sheila.willamowski@ohiohouse.gov](mailto:Sheila.willamowski@ohiohouse.gov)  
614.644.9820

**From:** Willamowski, Sheila  
**Sent:** Friday, October 07, 2016 12:28 PM  
**To:** Dittoe, Michael <[Michael.Dittoe@ohiohouse.gov](mailto:Michael.Dittoe@ohiohouse.gov)>; Sarko, Alyssa <[Alyssa.Sarko@ohiohouse.gov](mailto:Alyssa.Sarko@ohiohouse.gov)>; Kasych, Shawn <[Shawn.Kasych@ohiohouse.gov](mailto:Shawn.Kasych@ohiohouse.gov)>; Lenzo, Mike <[Mike.Lenzo@ohiohouse.gov](mailto:Mike.Lenzo@ohiohouse.gov)>; Lundregan, Scott <[Scott.Lundregan@ohiohouse.gov](mailto:Scott.Lundregan@ohiohouse.gov)>; Best, Carolyn <[Carolyn.Best@ohiohouse.gov](mailto:Carolyn.Best@ohiohouse.gov)>; Adams, Alexandra <[Alexandra.Adams@ohiohouse.gov](mailto:Alexandra.Adams@ohiohouse.gov)>; Slack, Cora <[Cora.Slack@ohiohouse.gov](mailto:Cora.Slack@ohiohouse.gov)>; Miller, Brad <[Brad.Miller@ohiohouse.gov](mailto:Brad.Miller@ohiohouse.gov)>; Westlake, Libby <[Libby.Westlake@ohiohouse.gov](mailto:Libby.Westlake@ohiohouse.gov)>; Blessing, Heather <[Heather.Blessing@ohiohouse.gov](mailto:Heather.Blessing@ohiohouse.gov)>; Day, Jennelle <[Jennelle.Day@ohiohouse.gov](mailto:Jennelle.Day@ohiohouse.gov)>; Schirmer, Jim <[Jim.Schirmer@ohiohouse.gov](mailto:Jim.Schirmer@ohiohouse.gov)>; Baker, Dan <[Dan.Baker@ohiohouse.gov](mailto:Dan.Baker@ohiohouse.gov)>; Lehman, Ryan <[Ryan.Lehman@ohiohouse.gov](mailto:Ryan.Lehman@ohiohouse.gov)>; Derksen, Nick <[Nick.Derksen@ohiohouse.gov](mailto:Nick.Derksen@ohiohouse.gov)>; Willamowski, Sheila <[Sheila.Willamowski@ohiohouse.gov](mailto:Sheila.Willamowski@ohiohouse.gov)>; Griffin, Lisa <[Lisa.Griffin@ohiohouse.gov](mailto:Lisa.Griffin@ohiohouse.gov)>; Russell, Dustin <[Dustin.Russell@ohiohouse.gov](mailto:Dustin.Russell@ohiohouse.gov)>; Myers, Marisa <[marisa.myers@ohiohouse.gov](mailto:marisa.myers@ohiohouse.gov)>;

**From:** Paretti, Dominic  
**Sent:** Monday, January 9, 2017 1:17 PM  
**To:** House\_All  
**Subject:** Request for Co-Sponsorship – Paid Parental Leave

**Importance:** High



#### MEMORANDUM

**TO:** All House Members  
**FROM:** Representative Janine Boyd  
**DATE:** January 9, 2017  
**RE:** Request for Co-Sponsorship – Paid Parental Leave

---

I will soon reintroduce legislation to create the Family and Medical Leave Insurance Program. Beginning in 2020, the program will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. Only two states, California and New Jersey, offer paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums

have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

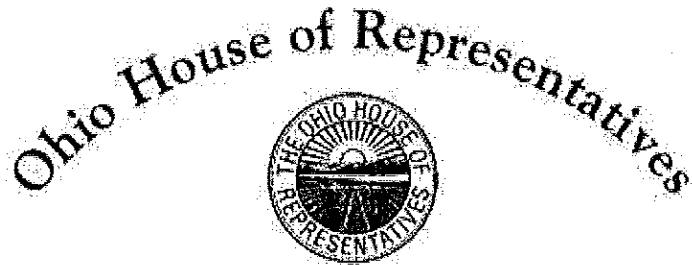
An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this bill, please feel free to contact Dominic Paretti in my office at 4-5079 or [Dominic.Paretti@OhioHouse.Gov](mailto:Dominic.Paretti@OhioHouse.Gov) by 3 pm Friday, January 27, 2017.

Dominic Paretti  
Legislative Aide to Representative Boyd  
Ohio House District 09  
614-644-5079

**From:** Hucke, Justin  
**Sent:** Friday, January 27, 2017 11:12 AM  
**To:** Hucke, Justin  
**CC:** House\_All  
**Subject:** Co-sponsor Request: Online Checkbook



**To:** All House Members  
**From:** Representatives Dever and Greenspan  
**Date:** Friday, January 27, 2017  
**RE:** Co-sponsor Request: Online Checkbook

---

In the near future, we plan to reintroduce legislation that will codify a state government expenditure database. This measure is identical to House Bill 46 of the 131st General Assembly, which **passed the House of Representatives in April of 2015 unanimously with 74 co-sponsors.**

Throughout the legislative process, this legislation had no opponents and attracted broad bipartisan support from organizations including the Buckeye Institute, Ohio Public Research Interest Group, and the Ohio Newspaper Association.

Using existing authority, in December 2014, Ohio Treasurer Josh Mandel unveiled [www.ohiocheckbook.com](http://www.ohiocheckbook.com), an easily accessible, searchable database of state expenditures for our taxpayers to hold state government accountable for spending. The new website, arguably the best of its kind in the Nation, reflects the intent of this legislation, but it could readily be taken down by a future treasurer of state. Through this legislation, future treasurers, regardless of political affiliation or commitment to transparency, must maintain this important tool that already is providing more accountable government to our state's residents.

If you would like to co-sponsor this legislation, or if you have any questions or concerns regarding its content, please contact Justin Huckle at 466-8120 or [Justin.Huckle@ohiohouse.gov](mailto:Justin.Huckle@ohiohouse.gov) or Bill White at 466-0961 or [Bill.White@ohiohouse.gov](mailto:Bill.White@ohiohouse.gov). **The deadline for co-sponsoring this bill is Friday, February 3rd at 5:00 p.m.**

**From:** Paretti, Dominic  
**Sent:** Friday, January 27, 2017 1:21 PM  
**To:** House\_All  
**Subject:** RE: Request for Co-Sponsorship – Paid Parental Leave

Representative Kristin Boggs has been added as a Joint Sponsor &

\*\*\*CO SPONSOR EXTENDED\*\*\*

Wednesday, February, 8 2017-2 pm

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**From:** Paretti, Dominic  
**Sent:** Monday, January 09, 2017 4:17 PM  
**To:** House\_All <House\_All@ohiohouse.gov>  
**Subject:** Request for Co-Sponsorship – Paid Parental Leave  
**Importance:** High



**MEMORANDUM**

**TO:** All House Members  
**FROM:** Representative Janine Boyd  
**DATE:** January 9, 2017  
**RE:** Request for Co-Sponsorship – Paid Parental Leave

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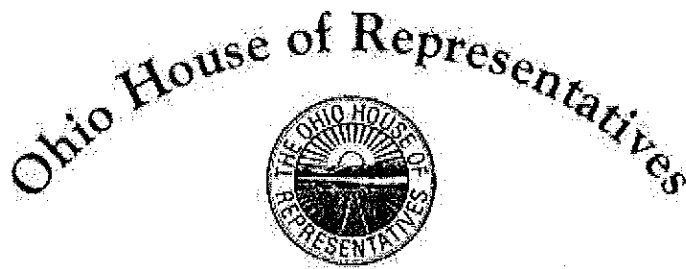
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Dominic Paretti  
Legislative Aide to Representative Boyd  
Ohio House District 09  
614-644-5079

**From:** Hucke, Justin  
**Sent:** Thursday, February 2, 2017 9:32 AM  
**To:** Hucke, Justin  
**CC:** White, Bill  
**Subject:** REMINDER: Co-sponsor Request: Online Checkbook

**REMINDER: Deadline to co-sponsor is TOMORROW at  
5pm!**



**To:** All House Members  
**From:** Representatives Dever and Greenspan  
**Date:** Friday, January 27, 2017  
**RE:** Co-sponsor Request: Online Checkbook

---

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our taxpayers to hold state government accountable for spending. The new website, arguably the best of its kind in the Nation, reflects the intent of this legislation, but it could readily be taken down by a future treasurer of state. Through this legislation, future treasurers, regardless of political affiliation or commitment to transparency, must maintain this important tool that already is providing more accountable government to our state's residents.

If you would like to co-sponsor this legislation, or if you have any questions or concerns regarding its content, please contact Justin Huckle at 466-8120 or [Justin.Huckle@ohiohouse.gov](mailto:Justin.Huckle@ohiohouse.gov) or Bill White at 466-0961 or [Bill.White@ohiohouse.gov](mailto:Bill.White@ohiohouse.gov). The deadline for co-sponsoring this bill is Friday, February 3rd at 5:00 p.m.

**From:** Kaiser Health News  
**Sent:** Monday, February 13, 2017 7:04 AM  
**To:** Alexander, Steven  
**Subject:** KHN Morning Briefing: February 13, 2017

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## **In This Edition:**

### **KAISER HEALTH NEWS ORIGINAL STORIES**

- 1. Death Doesn't Have To Be So Scary**
- 2. Grassley Launches Inquiry Into Orphan Drugs After KHN Investigation**
- 3. California Regulator Slams Health Insurers Over Faulty Doctor Lists**
- 4. California Reports Thousands Of Workers Exposed To Elevated Lead Levels**
- 5. Obamacare Came To Montana Indian Country And Brought Jobs**
- 6. Political Cartoon: 'Pot Meet Kettle?'**

### **ADMINISTRATION NEWS**

- 7. Price Sworn In As HHS Secretary After Contentious Nomination Process**
- 8. Immigration Ban Highlights Just How Much U.S. Relies On Foreign-Born Doctors**

### **HEALTH LAW**

- 9. Republicans May Want To Erase Health Law But First They Have To Save It From Collapsing**
- 10. GOP Town Halls Drawing Raucous Crowds Demanding Answers On Health Law**
- 11. Patients And Providers Alike Anxious Over Future Of Health Care Coverage**

#### MEDICARE

**12. Schumer Vows Democrats Will Work To Keep GOP From Putting Medicare 'On Chopping Block'**

#### WOMEN'S HEALTH

**13. Both Sides Of Abortion Fight Turn Out In Force At Planned Parenthood Clinics Across Country**

#### PHARMACEUTICALS

**14. In Midst Of Pharma Trying To Rebrand Image, Company Jacks Up Old Drug's Price To \$89,000**

#### PUBLIC HEALTH AND EDUCATION

**15. As White America Comes Out Of Shadows On Opioid Abuse, People Of Color Remain Hidden**

**16. Depression In Teens Is Soaring -- And It's Hitting Girls Particularly Hard**

#### MARKETPLACE

**17. States Begin To Assess Effects Of Judge's Decision To Block Anthem-Cigna Merger**

**18. Hospital Roundup: Preventing Avoidable Errors; Executive Incentives To Improve Quality**

#### MEDICAID

**19. Providers Warn Mass. Gov. That Plan To Cut Medicaid May Affect Home Health Services**

#### STATE WATCH

**20. State Highlights: Ga. Provider Fee Renewal Legislation Gains Final OK; In N.J., Religious Exemptions For Childhood Vaccinations On The Rise**

#### EDITORIALS AND OPINIONS

**21. Perspectives On Obamacare And The Current State Of Health Policy Chaos, Confusion, Shifts And Opportunities**

**22. Viewpoints: Drug Companies 'Risky' Idea; Scrapping Rule On Guns And Mental Illness Is 'A Bad Move'**

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**From Kaiser Health News:**

## KAISER HEALTH NEWS ORIGINAL STORIES

### **1. Death Doesn't Have To Be So Scary**

Taking time to discuss the inevitable can help conquer a universal fear. (Bruce Horowitz, 2/13)

### **2. Grassley Launches Inquiry Into Orphan Drugs After KHN Investigation**

Citing a Kaiser Health News investigation, Senate Judiciary Committee Chairman Chuck Grassley vows to examine the orphan drug program and possible fixes. (Sarah Jane Tribble, 2/10)

### **3. California Regulator Slams Health Insurers Over Faulty Doctor Lists**

A new report finds that major insurers like Aetna and UnitedHealth submitted conflicting lists to the state that were off by thousands of doctors. (Chad Terhune, 2/13)

### **4. California Reports Thousands Of Workers Exposed To Elevated Lead Levels**

More than 6,000 workers had levels in their blood that could lead to heart, kidney or cognitive disease, according to state findings. (Barbara Feder Ostrov, 2/13)

### **5. Obamacare Came To Montana Indian Country And Brought Jobs**

In remote parts of Montana, the Affordable Care Act has meant better health care for Native Americans and more job opportunities. (Eric Whitney, Montana Public Radio, 2/13)

### **6. Political Cartoon: 'Pot Meet Kettle?'**

Kaiser Health News provides a fresh take on health policy developments with "Political Cartoon: 'Pot Meet Kettle?'" by Jeff Danziger.

Here's today's health policy haiku:

**CALIFORNIA INSURERS NEED TO FACT-CHECK THEIR PROVIDER DIRECTORIES**

Who is in network?  
Health plans – do better! Fix those  
Flawed directories.

- Anonymous

If you have a health policy haiku to share, please Contact Us and let us know if you want us to include your name. Keep in mind that we give extra points if you link back to a KHN original story.

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## **Summaries Of The News:**

### **ADMINISTRATION NEWS**

#### **7. Price Sworn In As HHS Secretary After Contentious Nomination Process**

While Republicans praised new Health and Human Services Secretary Tom Price as having a "thorough understanding of health care policy and the damage that Obamacare has caused," others continued to speak out against him. "This guy is a wrecking ball," Sen. Angus King, I-Maine, said. "He is not a secretary. He is going into this agency to destroy it."

The New York Times: Tom Price Is Sworn In As Health Secretary Amid Senate Disunity  
President Trump's secretary of health and human services, Tom Price, took office on Friday with a promise to fix what he called a "broken health care system" that was "harming Americans and their families." Mr. Price was sworn in by Vice President Mike Pence just hours after the Senate, by a party-line vote of 52 to 47, confirmed his nomination in the early hours of Friday morning. (Pear and Rappeport, 2/10)

Reuters: With Eye On Obamacare, Price Takes Helm As U.S. Health Secretary  
As head of the Department of Health and Human Services (HHS) Price has the authority to rewrite rules implementing the 2010 Affordable Care Act, also known as Obamacare. He could move quickly to rework the regulations while waiting for Republicans in Congress to keep their pledge to scrap the law entirely. (Cornwell, 2/13)

The Wall Street Journal: As HHS Head, Price Has Wide Latitude To Shape Obamacare's Fate

Tom Price's swearing-in as secretary of health and human services Friday means he is now in position to dismantle key parts of the Affordable Care Act, even if repeal efforts in Congress bog down. But it isn't clear Dr. Price will quickly gut parts of the law. Instead, the Trump administration is expected to issue a proposed rule soon to appease insurers and help stabilize the individual insurance market for 2018, giving Republicans breathing room to continue working on their overhaul plans. (Armour and Hackman, 2/10)

The Washington Post: Polarizing HHS Secretary Sworn In After Senate's Party-Line Vote

The new secretary offered no remarks following his swearing-in hours later by Vice President Pence. But the biggest challenge he faces — one on which progress in Congress seems uncertain for now, despite GOP lawmakers' pledges for immediate action — was the first subject Pence mentioned in his introduction. "President Trump has made it the top priority of this new Congress to repeal and replace the Affordable Care Act with health-care reform that will lower the cost of health insurance without growing the size of government," Pence said. (Goldstein and Sullivan, 2/10)

Modern Healthcare: New HHS Secretary Tom Price Faces A Crushing Inbox

Newly confirmed HHS Secretary Tom Price likely will spend his first few days focusing on efforts to stabilize the individual health insurance market as Republicans work to repeal and replace the Affordable Care Act. Following the pattern of strictly party-line votes on two previous nominees — Attorney General-designate Sen. Jeff Sessions and Betsy DeVos for education secretary — the former congressman from Georgia was approved on a 52-47 vote. (Meyer and Dickson, 2/11)

The Hill: Women's Healthcare Groups Worry About Price Confirmation

Liberal women's health organizations are worried about the confirmation of Tom Price to lead the Department of Health and Human Services (HHS), citing his past statements and positions on abortion, birth control and ObamaCare. "A vote for Tom Price is a vote against affordable birth control, access to reproductive health care, and a vote against Planned Parenthood," said Planned Parenthood President Cecile Richards. (Hellmann, 2/10)

## **8. Immigration Ban Highlights Just How Much U.S. Relies On Foreign-Born Doctors**

Doctors studying in the United States are given the option to either return home or work for three years in an area that is medically underserved. Meanwhile, the ban has forced one doctor to cancel a trip to Iran to perform life-saving surgeries.

NPR: Foreign-Born Doctors Provide Care In Underserved Area

[Dr. Muhammad] Tauseef was born and raised in Pakistan. After going to medical school there, he applied to come to the U.S. to train as a pediatrician. It's a path thousands of foreign-born medical students follow every year — a path that's been around for more than half a century. And, like most foreign-born physicians, Tauseef came on a J1 visa. That meant after training he had two options: return to Pakistan or work for three years in an area the U.S. government has identified as having a provider shortage. (Silverman, 2/11)

The Associated Press: Trump Travel Ban Kills Surgeon's Lifesaving Trip To Iran  
A Houston surgeon has canceled a trip to Iran to perform lifesaving surgeries because of uncertainty over the future of President Donald Trump's refugee and immigration travel ban. Dr. Alireza Shamshirsaz is an Iranian-born professor of obstetrics and gynecology at Baylor College of Medicine in Houston. He specializes in fetal surgery, and he has already had devastating video chats with two sets of parents who expected him to operate on their unborn children. (2/10)

Meanwhile, Dr. Ahmadreza Djalali faces a possible death sentence in the next few days over accusations of espionage —

Stat: Alarmed Colleagues Mobilize To Free Doctor Accused Of Spying In Iran  
It was only in October that his colleagues would learn what had happened: [Dr. Ahmadreza] Djalali had been imprisoned in Tehran, accused of espionage. Now, after being held for nearly 11 months, Djalali could be sentenced to death over the next few days — in part because he refused to sign a confession saying that he was a spy for a "hostile government," according to an Amnesty International report. His friends in the disaster medicine and human rights communities are urgently organizing a campaign to free Djalali, hoping that publicity will pressure Iran to change course. They have started a petition, which currently has over 200,000 signatures. (Boodman, 2/10)

HEALTH LAW

## **9. Republicans May Want To Erase Health Law But First They Have To Save It From Collapsing**

With all the uncertainty swirling around the future of the health law, Republicans are caught in the position of having to stabilize a marketplace that they never wanted in the first place. Meanwhile, some proposed plans are trying to curb overly generous coverage and are drawing a reaction similar to how the "Cadillac Tax" was received.

The New York Times: Republicans, Aiming To Kill Health Law, Also Work To Shore It Up

After denouncing the Affordable Care Act as an abomination for seven years, Republicans in Congress, working with the Trump administration, are urgently seeking ways to shore up health insurance marketplaces created by the law. While President Trump said as a candidate that "Obamacare is certain to collapse of its own weight," Republicans fear such an outcome because, now that the fate of the health law is in their hands, they could be blamed by consumers and Democrats. (Pear, 2/10)

The Wall Street Journal: Employers Balk At Curbs On Generous Health Plans  
The Affordable Care Act's tax on high-cost employer health plans faced sharp opposition from employers and unions. Now, Republicans are drawing equal fire for ACA replacement proposals that those groups say would have some of the same effects. The ACA's so-called Cadillac tax is levied on the value of employer health plans above a certain threshold, in part to discourage what backers argue are overly generous plans and high usage of costly care. It is one of the few aspects of the law that Congress has tweaked, delaying its impact until 2020. (Wilde Mathews, 2/13)

Meanwhile, Republicans are facing a trillion-dollar dilemma over taxes —

The Associated Press: GOP Must Decide What To Do With Health Law Taxes  
Republicans love cutting taxes, especially if they were authored by a president named Barack Obama. But as they push their wobbly effort to erase his health care overhaul, they're divided over whether to repeal the levies the law imposed to finance its expanded coverage for millions of Americans. (2/13)

The Associated Press: A Look At Taxes Imposed By Obama's Health Care Law  
A look at the \$1.1 trillion in taxes over 10 years imposed by former President Barack Obama's health care overhaul. The revenue helped pay for the law's expansion of coverage to millions of Americans. The revenue estimates are by the nonpartisan Congressional Budget Office and Congress' Joint Committee on Taxation. They could differ significantly from whatever Republicans propose in their effort to erase the law and replace it. (2/13)

## **10. GOP Town Halls Drawing Raucous Crowds Demanding Answers On Health Law**

In meetings across the country, constituents are showing up in droves to make their voices heard.

**The Washington Post: Swarming Crowds And Hostile Questions Are The New Normal At GOP Town Halls**

Republicans in deep-red congressional districts spent the week navigating massive crowds and hostile questions at their town hall meetings — an early indication of how progressive opposition movements are mobilizing against the agenda of the GOP and President Trump. Angry constituents swarmed events held by Reps. Jason Chaffetz (Utah), Diane Black (Tenn.), Justin Amash (Mich.) and Tom McClintock (Calif.). They filled the rooms that had been reserved for them; in Utah and Tennessee, scores of activists were locked out. Voters pressed members of Congress on their plans to repeal the Affordable Care Act, on the still-controversial confirmation of Education Secretary Betsy DeVos and even on a low-profile vote to disband an election commission created after 2000. (Snell, Schwartzman, Friess and Weigel, 2/10)

**CNN: The Folks Packing Republican Town Halls**

These days, Deborah Johnson is on edge. She says she's worried she won't qualify for Social Security disability benefits, anxious about her middle son's recovery from a car accident last year, and feeling the pervasive effects of her complex post-traumatic stress disorder that dates back to an abusive childhood. But by her mid-morning coffee on a recent Thursday, Johnson was feeling pretty good. Her phone call to Republican Sen. Lamar Alexander's district office had gone through. "I usually get a voicemail, but I talked to a staffer," Johnson, 39, told CNN at her home in Murfreesboro, Tennessee. "And I said I wanted a call back and he wouldn't take my number and I said, 'You're going to take my number. I'm one of his constituents.'" Her urgent message: Repealing Obamacare would devastate her family. (Lee, 2/13)

**Cincinnati Enquirer: Pro-Obamacare Protest In Clermont County Goes Viral**

Pro-Obamacare protests in Clermont County went viral Friday, as a woman attempted to interrupt a speech by U.S. Rep. Brad Wenstrup and dozens of other protesters gathered outside. Wenstrup, R-Columbia Tuscolum, spoke Friday at the Clermont Chamber of Commerce luncheon, filling in for Sen. Rob Portman, a Terrace Park Republican. (Thompson, 2/11)

**The Hill: Sanders, Schumer Call For Nationwide Pro-ObamaCare Rallies**

Sens. Charles Schumer (D-N.Y.) and Bernie Sanders (I-Vt.) on Saturday called for

nationwide rallies in support of ObamaCare, calling GOP efforts to repeal and replace the healthcare legislation “chaos.” “We are encouraging Democratic senators to lead rallies in their states. This is not a Democratic issue, a Republican issue or an Independent issue,” the senators said in a letter. (Shelbourne, 2/11)

## **11. Patients And Providers Alike Anxious Over Future Of Health Care Coverage**

Many are worried that if the health law is dismantled, they'll lose their coverage.

USA Today: Obamacare Overhaul Proposals Create Uncertainty For Patients, Providers

Once its patients were insured by the Affordable Care Act, the community health center in Whitesburg, Ky. opened on the weekends in 2014 and added optometrists and a dental clinic in 2015. Van Breeding, the primary care doctor in charge of the clinic, says if his patients lose coverage in any ACA replacement, he'll have to close on weekends and get rid of the newer services. Patients like Lee Sexton, an 88-year-old banjo player with black lung disease, will have to head to the far more expensive emergency room if they need care on the weekends. (O'Donnell, 2/12)

Arizona Republic: Fact Check: How Many Arizonans Would Lose Health Coverage With An 'Obamacare' Repeal?

President Donald Trump campaigned on a promise to immediately repeal the Affordable Care Act, better known as “Obamacare,” on “day one” of his presidency. As president, he signed last month an executive order affirming his intention... A news release about the ad campaign stated 709,000 Arizonans would lose health coverage if the ACA is repealed. To back up that figure, it cites a report from the left-leaning Urban Institute, a Washington, D.C.-based think tank focused on social and economic policy research. (Jarvis, 2/10)

And in other health law news from the states —

Kaiser Health News: Obamacare Came To Montana Indian Country And Brought Jobs  
The Affordable Care Act created new health coverage opportunities more than half a million Native Americans and Alaska Natives — and jobs have followed on its coattails. In Montana, this is playing out at the Blackfeet Community Hospital. It's the only hospital on the Blackfeet reservation, and has been mostly funded — and chronically underfunded — by the Indian Health Service, which has been in charge of Native American health care since its founding in the 1950s. But now, many Native Americans have been able to afford health insurance on the Obamacare exchange,

and last year, Montana expanded Medicaid. Now, about one in seven reservation residents gets Medicaid. (Whitney, 2/13)

California Healthline: For California's Smallest Businesses, Obamacare Opened The Door

Under Republican-led plans to repeal the Affordable Care Act, hundreds of thousands of self-employed people in California are at risk of losing their ability to buy affordable insurance. Some business owners welcome the rollback of the law, but the smallest of California businesses — entrepreneurs and contract workers who buy insurance on their own through Covered California — have the most to lose under a repeal. That worries small business advocates who favor the Affordable Care Act. They say putting health care coverage out of reach of the self-employed could threaten Americans' entrepreneurial spirit and burden people who create jobs and take on financial risk. (Bartolone, 2/13)

## MEDICARE

### **12. Schumer Vows Democrats Will Work To Keep GOP From Putting Medicare 'On Chopping Block'**

The leader of the Senate Democrats points to concerns that Republicans will seek to change Medicare to be a voucher program. Echoing those concerns about the future of the program, AARP has initiated online and TV ads supporting Medicare.

Newsday: Sen. Schumer: Medicare In Grave Danger With New HHS Secretary  
Sen. Chuck Schumer said that Medicare as we know it is in grave danger, just two days after Tom Price's confirmation as Health and Human Services Secretary. At a Sunday news conference, Schumer pledged to use his new role as Senate Democratic Leader to block "efforts to weaken, wound and destroy Medicare." ... Price's Friday confirmation testimony suggests that under his administration, Medicare might be converted to a fixed amount voucher-based program, instead of the more flexible "modest, earned benefits for dignity and health security" that these seniors currently collect, Schumer said. (Chung, 2/12)

Columbus Dispatch: AARP Lays Down Marker On Medicare

Throughout his presidential campaign, Donald Trump repeatedly vowed to protect Medicare because so many older Americans depend on the federal program to help cover their health-care costs. One of the most influential senior lobbying groups wants to remind Trump of his promise. And it wants to pressure lawmakers, especially Republicans, into also showing their support. (Pyle, 2/12)

## WOMEN'S HEALTH

### **13. Both Sides Of Abortion Fight Turn Out In Force At Planned Parenthood Clinics Across Country**

Activists in the anti-abortion movement set up rallies at Planned Parenthood clinics for the weekend, but they were met with counter-protesters who came out to support the organization.

The Associated Press: Anti-Abortion Activists, Counter-Protesters Rally Around US  
Anti-abortion activists emboldened by the new administration of President Donald Trump staged rallies around the country Saturday calling for the federal government to cut off payments to Planned Parenthood, but in some cities counter-protests dwarfed the demonstrations. Thousands of Planned Parenthood supporters, many wearing the pointy-eared pink hats popularized by last month's women's marches, turned out for a rally in St. Paul, Minnesota, separated by barricades from an anti-abortion crowd of a couple hundred people. In Detroit, about 300 people turned up outside a Planned Parenthood office, most of them supporting the organization. In St. Louis, thousands marched, many carrying pink signs that read, "I stand with Planned Parenthood." (2/11)

Reuters: Calls For Protests For And Against Planned Parenthood  
Anti-abortion groups called for demonstrations at more than 200 Planned Parenthood locations throughout the United States on Saturday to urge Congress and President Trump to strip the women's health provider of federal funding. Supporters of Planned Parenthood in turn organized 150 counterdemonstrations outside politicians' offices and government buildings. (2/11)

Arizona Republic: Rallies For And Against Abortion Rights At Planned Parenthood In Glendale Close Clinic For The Day  
A rally in Glendale on Sunday morning calling for the defunding of Planned Parenthood drew counterprotesters in support of the organization as well as shut down the clinic for the day. Messages and drawings in chalk were scattered across the sidewalk where hundreds of activists on both sides of the divisive issue stood outside in a light rain near 57th Drive and Eugie Avenue as they took their stances in a peaceful faceoff. (Jeong, 2/12)

Milwaukee Journal Sentinel: Protesters Seek End To Planned Parenthood Funding  
With a new grandchild in her family, Becky Sanfelippo said Saturday that she decided to join her first public protest, holding a "Moms for Life" sign and standing with around 70 people gathered outside the Planned Parenthood health center on S. 108th St... The

rally was led by Pro-Life Wisconsin and was among more than 200 demonstrations at Planned Parenthood locations across the country. Emboldened by the election of President Donald Trump, who vowed during his campaign to take away federal funding for Planned Parenthood, activists are trying to prod Congress to make good on the promise. (Glauber, 2/11)

San Jose Mercury News: Thousands Rally To Support Planned Parenthood, Women's Rights

As part of a thunderous response to anti-abortion groups targeting Planned Parenthood locations nationwide, thousands of abortion rights demonstrators lined The Alameda on Saturday, rallying in support of the nonprofit that provides abortions and other medical services to women throughout the United States. Wearing many shades of pink and holding posters that read "Stand with Planned Parenthood" and "Keep your religion off my body," the crowd of about 4,000 people focused on the decades-long debate over whether women should be allowed to decide whether to terminate their pregnancies. (Sanchez, 2/11)

San Francisco Chronicle: Nationwide Planned Parenthood Protests Energize Patients, Opponents

[Damien] Cox is among those voicing support for the nonprofit reproductive health organization at what could be a critical moment in its history. President Trump and his administration have threatened to eliminate federal funding for Planned Parenthood, because the services provided by the clinics include abortions. On Saturday, the debate will crest with nationwide rallies — including at clinics in San Francisco, Redwood City and Napa — calling for the "defunding" of Planned Parenthood. (Ravani, 2/10)

Health News Florida: Protests Spark Over Planned Parenthood And Abortion

Around the country, thousands of anti-abortion advocates protested at Planned Parenthood facilities, calling for an end to abortion and any government funding for the non-profit. Locally, there were protests in Tampa, Sarasota and St. Petersburg. Porter, who's in her fifties, said she had three abortions in her twenties. At least one was performed at Planned Parenthood, she said. (Walters, 2/13)

WBUR: Protests Against Planned Parenthood Rouse Dueling Rallies Nationwide

Anti-abortion rights protesters gathered outside Planned Parenthood clinics across the country Saturday, in a series of rallies calling on politicians to end federal funding for the century-old organization. The activists planned to picket outside roughly 200 Planned Parenthood clinics — but at many of those locations, counterprotesters were there to meet them. The group #ProtestPP, which organized the rallies, says

demonstrations have been planned in at least 45 states, according to ABC News. (Dwyer, 2/11)

CQ Roll Call: Some Republicans Fear A Backlash From Defunding Planned Parenthood

Republicans for years have attempted to strip all federal funds from Planned Parenthood, and the time has come when it might actually happen. The women's health organization would lose millions of dollars annually in Medicaid reimbursements and family planning grants if Republican plans succeed. The defunding is embedded in a legislative package that also would repeal large portions of the health care law and is set for fast-track consideration by Congress. With President Donald Trump in the White House and ready to sign, it's likely the bill could become law. (Shutt, 2/13)

## PHARMACEUTICALS

### **14. In Midst Of Pharma Trying To Rebrand Image, Company Jacks Up Old Drug's Price To \$89,000**

Marathon has set the list price of its muscular dystrophy drug at \$89,000 a year, 50 to 70 times higher than patients were paying to import the drug from the U.K.

The Wall Street Journal: Drug Industry Goes Boldly Into New Minefield

Last month, the pharmaceutical industry, under pressure from the president among others for persistent price hikes, launched an ad campaign to highlight its drug research. Called "Go Boldly," an allusion to poet Dylan Thomas, the campaign was intended to bolster the industry's reputation after pricing scandals involving companies such as Valeant Pharmaceuticals International and Turing Pharmaceuticals. It took just a few weeks for another pharma company to ignite a controversy and set off the requisite tales of patients unable to afford the treatment. (Grant, 2/10)

The Washington Post: An Old Drug Gets A New Price To Fight A Rare Disease: \$89,000 A Year

An old steroid treatment, long available outside the United States, received approval this week for a rare disease that afflicts about 15,000 Americans. Though not previously approved in the United States, the drug, deflazacort, has for years been available to patients suffering from the devastating and fatal disease Duchenne muscular dystrophy; families can import it from abroad for about \$1,200 per year on average. The new list price for the drug? \$89,000 a year. (Johnson, 2/10)

The Wall Street Journal: Marathon Pharmaceuticals To Charge \$89,000 For Muscular Dystrophy Drug After 70-Fold Increase